

IN RE: PETITION FOR SPECIAL EXCEPTION \* BEFORE THE  
S/S Winands Road, 270' E of the \*  
c/l of Offutt Road \* DEPUTY ZONING COMMISSIONER  
(9127 Winands Road) \*  
2nd Election District \* OF BALTIMORE COUNTY  
2nd Councilmanic District \* Case No. 97-34-X  
  
Luis F. George and Mary H.  
Mitchell, Legal Owners; and \*  
Patricia E. Lewis, D.D.S., Contract Lessee  
\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Exception for that property known as 9127 Winands Road, located in the vicinity of Offutt Road and the Sunset Ridge Community in Randallstown. The Petition was filed by the owners of the property, Luis F. George and Mary H. Mitchell, and the Contract Lessee, Patricia E. Lewis, D.D.S. The Petitioners seek a special exception to permit a dental office within a residential dwelling, in accordance with the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Luis George, owner of the property, Dr. Patricia Lewis, Contract Lessee, and Kevin White, Professional Engineer who prepared the site plan for this property. Appearing in opposition to the request was Mr. Andrei Stewart, President of the Sunset Ridge Community Association.

Testimony and evidence offered revealed that the subject property consists of 0.551 acres, more or less, zoned D.R. 3.5 and is improved with a large, two-story frame dwelling, and attached two-car garage. Dr. Lewis testified that she has been a dentist since 1981 and until two weeks ago, had operated her dental practice from a location in south Baltimore for the past 13 years. Dr. Lewis recently leased the subject property from Mr.

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Date

By

George and Ms. Mitchell and would like to relocate her practice to the subject site.

Appearing in opposition to the Petitioners' request was Andrei Stewart. Mr. Stewart introduced as Protestant's Exhibit 1 a Petition of Opposition which had been signed by many of the residents of the Sunset Ridge Community. He also submitted as Protestant's Exhibit 2, a map of the neighborhood and as Protestant's Exhibit 3, photographs of several of the houses within that neighborhood. Mr. Stewart testified that he and the community are opposed to Dr. Lewis establishing a dental practice at the subject location. The neighborhood is opposed to a commercial operation taking place in their residential neighborhood and the traffic and parking problems that would be generated by the proposed use. Mr. Stewart expressed their further concerns over the storage of drugs and syringes that are kept on the premises and used in conjunction with the dental practice. They are also concerned over the disposal of the medical waste generated by virtue of a dental practice.

Mr. Stewart further testified that they are experiencing problems with students who attend Randallstown High School who loiter in their neighborhood and fear that allowing a dental practice to exist in the neighborhood would give those students an excuse to loiter in that they could say they were waiting for a dental appointment. The association is strongly opposed to the granting of any special exception relief.

It should also be noted that several comments were submitted from the various Baltimore County reviewing agencies. In particular, the Office of Planning submitted a comment dated August 28, 1996 wherein they recommend denial of the special exception request. The Planning Office is opposed to the special exception in that they believe the operation of a

ORDER RECEIVED FOR FILING  
Date 9/1/96  
By [Signature]

dental practice at the subject location would have an adverse impact on the surrounding residential community.

After reviewing all of the testimony and evidence presented by the Petitioners as well as Mr. Stewart, and in consideration of the comments submitted by the Office of Planning, I am persuaded to deny the special exception request.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. In fact, the Petitioner has not shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have an adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).


The proposed use will be detrimental to the health, safety, or general welfare of the locality, and will tend to create congestion in roads, streets, or alleys therein. It will be inconsistent with the purposes of the property's zoning classification, and inconsistent with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, it appears that the requirements of Section 502.1 have not been met and that the health, safety, and general welfare of the community shall be adversely affected. Therefore, the relief requested in the special exception should be denied.

ORDER RECEIVED FOR FILING  
Date 9/11/86  
By [Signature]

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 11<sup>th</sup> day of September, 1996 that the Petition for Special Exception to permit a dental office within a residential dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby DENIED; and,

IT IS FURTHER ORDERED that the Petitioners shall have thirty (30) days from the date of this Order to file an appeal of this decision.

  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING

Date

By

IN THE MATTER OF  
THE APPLICATION OF  
LUIS F. GEORGE AND MARY H.  
MITCHELL -LEGAL OWNERS; AND  
PATRICIA E. LEWIS, DDS -  
CONTRACT LESSEE /PETITIONERS  
FOR A SPECIAL EXCEPTION ON  
PROPERTY LOCATED ON THE SOUTH  
SIDE WINANDS ROAD, 270' EAST  
OF OFFUTT RD (9127 OFFUTT RD)  
2ND ELECTION DISTRICT  
2ND COUNCILMANIC DISTRICT

\* BEFORE THE  
\* COUNTY BOARD OF APPEALS  
\* OF  
\* BALTIMORE COUNTY  
\* CASE NO. 97-34-X  
\*  
\* \* \* \* \*

ORDER OF DISMISSAL

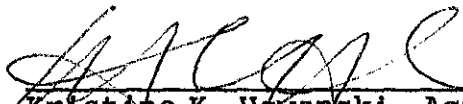
This matter comes to this Board on appeal from a decision of the Deputy Zoning Commissioner dated September 11, 1996 in which the Petition for Special Exception was denied.

WHEREAS, the Board is in receipt of a letter of dismissal filed by Francis X. Borgerding, Jr., Esquire, Counsel for Appellants /Petitioners, dated March 5, 1997 (a copy of which is attached hereto and made a part hereof); and

WHEREAS, said Counsel for Appellants requests that the appeal filed in this matter be dismissed as of March 5, 1997;

IT IS HEREBY ORDERED this 12th day of March, 1997 by the County Board of Appeals of Baltimore County that said appeal be and the same is hereby DISMISSED.

COUNTY BOARD OF APPEALS  
OF BALTIMORE COUNTY

  
Kristine K. Howanski, Acting Chairman

  
Harry E. Buchheister, Jr.

  
Charles L. Marks

1111111111

**FRANCIS X. BORGERDING, JR.**

*Attorney at Law*

MERCANTILE-TOWSON BLDG - SUITE 600  
409 WASHINGTON AVE.  
TOWSON, MD 21204  
OFFICE (410) 296-6820  
TELEFAX (410) 296-6884

*Member of Maryland and  
District of Columbia Bar*

March 5, 1997

County Board of Appeals of  
Baltimore County  
Old Court House, Room 49  
400 Washington Avenue  
Towson, Maryland 21204

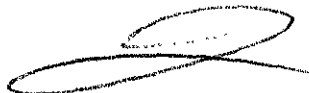
RE: Case No.: 97-34-X  
In the Matter of Luis F. George and  
Mary H. Mitchell, Legal Owners; and  
Patricia E. Lewis, D.D.S., Contract Lessee  
9127 Winands Road  
Randallstown, Maryland 21117  
Second Election District; Second Councilmanic  
District

Gentlemen/Ladies:

This correspondence is being written on behalf of the Appellants/Petitioners to request a dismissal of the above-referenced appeal now set for hearing on Thursday, March 13, 1997 at 10:00 A.M.

Thank you very much for your cooperation with regard to this matter.

Very truly yours,



FRANCIS X. BORGERDING, JR.

FXBJr:bjk

cc: Patricia E. Lewis, D.D.S.  
Luis F. George and Mary H. Mitchell  
J. Carroll Holzer, Esquire



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49  
400 WASHINGTON AVENUE  
TOWSON, MARYLAND 21204  
(410) 887-3180

March 12, 1997

Francis X. Borgerding, Jr., Esquire  
DINENNA AND BRESCHI  
Suite 600  
Mercantile-Towson Building  
409 Washington Avenue  
Towson, MD 21204

RE: Case No. 97-34-X  
Patricia E. Lewis, DDS, et al

Dear Mr. Borgerding:

Enclosed please find a copy of the Order of Dismissal issued  
this date by the County Board of Appeals of Baltimore County  
in the subject matter.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Kathleen C. Bianco".

Kathleen C. Bianco  
Legal Administrator

encl.

cc: Patricia E. Lewis, DDS  
Luis F. George and Mary H. Mitchell  
J. Kevin Wight /Hicks Engineering Co.  
J. Carroll Holzer, Esquire  
Andrei Stewart, President /Sunset Ridge Comm Assn  
Dr. Paul Dubansky  
People's Counsel for Baltimore County  
Pat Keller  
Lawrence E. Schmidt  
Arnold Jablon, Director /PDM  
Virginia W. Barnhart, County Attorney


10-5-17

IN RE: PETITION FOR SPECIAL \* BEFORE THE  
EXCEPTION S/S Winands \*  
Road, 270'E of the \* DEPUTY ZONING COMMISSIONER  
c/1 of Offutt Road \* OF BALTIMORE COUNTY  
(9127 Winands Road) \*  
2nd Election District \* Case No.: 97-34-X  
2nd Councilmanic \*  
District \*  
\*  
Luis F. George and \*  
Mary H. Mitchell, \*  
Legal Owners; and \*  
Patricia E. Lewis, \*  
D.D.S., Contract \*  
Lessee \*

\* \* \* \* \*

**NOTICE OF APPEAL**

Please enter an appeal to the Board of Appeals of Baltimore County, on behalf of Patricia E. Lewis, D.D.S. and Luis F. George and Mary H. Mitchell, from the September 11, 1996 decision of the Deputy Zoning Commissioner for Baltimore County in the above-captioned case.

  
FRANCIS X. BORGERDING, JR.  
409 Washington Avenue, Suite 600  
Towson, Maryland 21204  
(410) 296-6820  
Attorney for Patricia E. Lewis, D.D.S.  
and Luis F. George and Mary H.  
Mitchell



CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 8<sup>th</sup> day of October, 1996, a copy of the foregoing was mailed, postage prepaid, to:

Mr. Andrei Stewart, President  
Sunset Ridge Community Association, Inc.  
3681 Offutt Road  
P. O. Box 118  
Randallstown, Maryland 21133

Peter Max Zimmerman, Esquire  
Room 47  
Court House  
400 Washington Avenue  
Towson, Maryland 21204

  
FRANCIS X. BORGERDING JR.

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

September 11, 1996

(410) 887-4386

Mr. Luis F. George  
Ms. Mary H. Mitchell  
Dr. Patricia E. Lewis  
9127 Winands Road  
Owings Mills, Maryland 21117

RE: PETITION FOR SPECIAL EXCEPTION  
S/S Winands Road, 270' E of the c/l of Offutt Road  
(9127 Winands Road)  
2nd Election District - 2nd Councilmanic District  
Luis F. George and Mary H. Mitchell, Legal Owners; and  
Patricia E. Lewis, D.D.S., Contract Lessee  
Case No. 97-34-X

Dear Mr. George, Ms. Mitchell & Dr. Lewis:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Exception has been denied in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: Mr. J. Kevin Wight, Hicks Engineering Company  
200 E. Joppa Road, Suite 402, Towson, Md. 21286

Mr. Andrei Stewart, President, Sunset Ridge Comm. Assoc., Inc.  
3681 Offutt Road, P.O. Box 118, Randallstown, Md. 21133

People's Counsel; Case File



11-11-19



# Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at

9127 Winands Road

which is presently zoned

D.R.-3.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

A dental office within a Residential Dwelling.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

Patricia E. Lewis, D.D.S.

(Type or Print Name)

Signature

9127 Winands Road

Address

Owings Mills, MD 21133

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No

City

State

Zipcode

Legal Owner(s):

Luis F. George

(Type or Print Name)

Signature

Mary H. Mitchell

(Type or Print Name)

Signature

9127 Winands Road

Address

Phone No.

Owings Mills, MD

21133

City

State

Zipcode

Name, Address and phone number of representative to be contacted

J. Kevin Wight

Name

200 E. Joppa Road, Suite 402 (410)-494-0001

Address

Towson, MD 21286

Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE

7/23/96

#30

ORDER RECEIVED FOR FILING

Date

By



ZONING DESCRIPTION

97-34-X

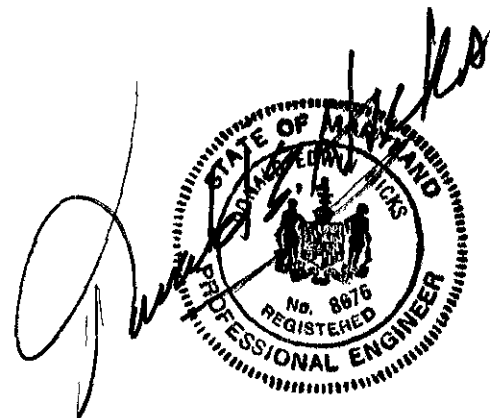
BEGINNING at a point on the south side of Winands Road which is 70 feet wide at the distance of 270 feet, more or less, east of the center-line of Offutt Road which is 70 feet wide. Thence the following courses and distances:

- 1) South 06°06'29" East, 138.57 feet,
- 2) South 18°52'04" West, 40.49 feet,
- 3) South 01°19'10" West, 121.07 feet,
- 4) South 88°40'50" East, 12.00 feet,
- 5) North 01°19'10" East, 120.00 feet,
- 6) North 88°46'01" East, 114.39 feet,
- 7) North 11°43'28" East, 76.07 feet,
- 8) North 01°41'59" West, 95.01 feet,

9) Curve to the right -  $R = 835.00$  feet,  $L = 140.90$  feet  
to the place of beginning as recorded in deed - Liber 10890, Folio 132.

BEING Lot No. 65 in the subdivision of "Sunset Ridge" (Plat Two) as recorded in Baltimore County Plat Book S.M. No. 63, Folio 136 and containing 0.551 acres of land. Also known as 9127 Winands Road and located in the Second Election District of Baltimore County, Maryland.

# 30



MAY 11 1997

**CERTIFICATE OF SETTING**  
**ZONING DEPARTMENT OF BALTIMORE COUNTY**  
**Towson, Maryland**

97-34-X

District 2nd

Date of Posting 8/19/96

Posted for: Special Exception

Petitioner: Luis F. George & Mary H. McToll

Location of property: 9127 Wilkins Rd.

Location of Sign: Facing, Medway Dr. property being zoned

Remarks: \_\_\_\_\_

Posted by M. Kelly

Signature

Date of return: 8/16/96

Number of Signs: 1

# CERTIFICATE OF PUBLICATION

TOWSON, MD., 8/8, 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 8/8, 1996.

THE JEFFERSONIAN,

*A. H. Emick*  
LEGAL AD. - TOWSON

## NOTICE OF HEARINGS

The zoning commission of Baltimore County, by authority of the zoning and appeals board of Baltimore County will hold a public hearing on the property identified herein in Room 105 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204, of Room 113, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case #97-34-X

(Item 30)

9127 Wifonds Road  
SS Wifonds Road, 270 +/- E of Clifton Road

2nd Election District  
2nd Commission

Legal Owner(s):

Luis F. George and Mary H. Mitchell

Special Exception for a dental office within a residential dwelling.

Hearing: Tuesday, September 3, 1996 at 10:00 a.m. in Room 113, Old Courthouse.

LAWRENCE E. SCHMIDT  
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible, for special accommodations Please Call 887-3853.

(2) For information concerning the Fee and/or Hearing, Please Call 887-3851.

8/1/93 August 8

C72812



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

\_\_\_\_\_  
ARNOLD JABLON, DIRECTOR

-----  
For newspaper advertising:

Item No.: 30 Petitioner: PATRICIA E. LEWIS, D.D.S.

Location: 9127 WINANDS ROAD

PLEASE FORWARD ADVERTISING BILL TO:

NAME: PATRICIA E. LEWIS, D.D.S.

ADDRESS: 9127 WINANDS ROAD

OWINGS MILLS, MD. 21133

PHONE NUMBER: (410) 355-6811



# Plat to accompany Petition for Zoning ☐ Variance ☐ Special Hearing

PROPERTY ADDRESS: \_\_\_\_\_

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: \_\_\_\_\_

plat book # \_\_\_\_\_, folio # \_\_\_\_\_, lot # \_\_\_\_\_, section # \_\_\_\_\_

OWNER: \_\_\_\_\_



North

date: \_\_\_\_\_  
prepared by: \_\_\_\_\_

Scale of Drawing: 1" = \_\_\_\_\_



Vicinity Map  
scale: 1"=1000'

## LOCATION INFORMATION

Election District: \_\_\_\_\_

Councilmanic District: \_\_\_\_\_

1"=200' scale map#: \_\_\_\_\_

Zoning: \_\_\_\_\_

Lot size: \_\_\_\_\_ acreage \_\_\_\_\_ square feet

Public Private  
SEWER: ☐ ☐

WATER: ☐ ☐

yes no  
Chesapeake Bay Critical Area: ☐ ☐

Prior Zoning Hearings: \_\_\_\_\_

## Zoning Office USE ONLY!

reviewed by: \_\_\_\_\_ ITEM #: \_\_\_\_\_ CASE#: \_\_\_\_\_

# CERTIFICATE OF POSTING

RE: Case No.:

97-347

Petitioner/Developer:

Luis & Mary Mitchell

Date of Hearing/Closing:

Baltimore County Department of  
Permits and Development Management  
County Office Building, Room 111  
111 West Chesapeake Avenue  
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law  
were posted conspicuously on the property located at \_\_\_\_\_

The sign(s) were posted on

10 - 21 - 96

( Month, Day, Year)

Sincerely,

(Signature of Sign Poster and Date)

MARK CAWELL

(Printed Name)

(Address)

Baltimore County

(City, State, Zip Code)

(Telephone Number)

1/21/97  
T/C FROM NEIGHBOR  
- "SIGN IS GONE"  
1/23/97- T/C TO INSPECTOR  
He will REPOST ASAP!  
Caw

# CERTIFICATE OF POSTING

RE: Case No.: 97-34-X

Petitioner/Developer: \_\_\_\_\_

Date of Hearing/Closing: \_\_\_\_\_

Baltimore County Department of  
Permits and Development Management  
County Office Building, Room 111  
111 West Chesapeake Avenue  
Towson, MD 21204

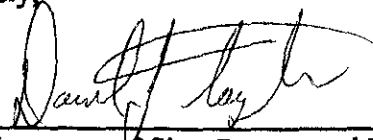
Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law  
were posted conspicuously on the property located at 9127 WINDANOS RD

The sign(s) were posted on 1 - 24 - 97 (Reposted  
(Month, Day, Year)

Sincerely,



(Signature of Sign Poster and Date)

DAVID J. TAYLOR

(Printed Name)

3351 FLICKINGER RD

(Address)

WESTMINSTER, ~~MD~~ MD. 21158

(City, State, Zip Code)

410-848-6620

(Telephone Number)

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

026008

DATE 10/15/96 ACCOUNT R-001-6150

AMOUNT \$ 285.00

RECEIVED FROM: Francis X. Bergerding, Jr.

FOR: Appeal # 97-34-X

01A00#0138MICHR

\$285.00

BA COLL-19AM10-15-96

VALIDATION OR SIGNATURE OF CASHIER

RYE

DISTRIBUTION  
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

026008

DATE 10/15/96 ACCOUNT R-001-6150

AMOUNT \$ 285.00

RECEIVED FROM: Francis X. Bergerding, Jr.

FOR: Appeal # 97-34-X

01A00#0138MICHR

\$285.00

BA COLL-19AM10-15-96

VALIDATION OR SIGNATURE OF CASHIER

RYE

DISTRIBUTION  
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

MICROFILMED

TO: PUTUXENT PUBLISHING COMPANY  
August 8, 1996 Issue - Jeffersonian

Please forward billing to:

Patricia E. Lewis, D.D.s.  
9127 Winands Road  
Owings Mills, Maryland 21133  
355-6811

---

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in  
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204  
or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-34-X (Item 30)  
9127 Winands Road  
S/S Winands Road, 270' +/- E of c/l Offutt Road  
2nd Election District - 2nd Councilmanic  
Legal Owner(s): Luis F. George and Mary H. Mitchell

Special Exception for a dental office within a residential dwelling.

HEARING: TUESDAY, SEPTEMBER 3, 1996 at 10:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

BALTIMORE COUNTY LIQUOR BOARD

January 24, 1994  
Page 7 of 9

HEARINGS

Court Reporter:

Other:

| <u>Name and Address</u>   | <u>Time</u> | <u>Class</u> |
|---|-------------|--------------|
| Chil Sung Lee<br>Kyong Hwan Lee<br><b>PUTTY HILL LIQUORS, INC.</b><br>t/a Putty Hill Liquors<br>7938 Belair Road<br>Baltimore, MD 21236 | 3:00 p.m.   | A(BWL)       |
| DISTRICT (14) Massey  |             |              |

**SHOW CAUSE**

Remarks

Hearing to Show Cause Why License  
Should Not be Suspended or Revoked  
Due to Alleged Violations.

ARTICLE 2B - Annotated Code of Md.

Section 69. Causes  
Section 70. Procedure  
Section 118. Sales to Minors and  
Intoxicated Persons  
Prohibited.

RULES AND REGULATIONS OF THE BOARD  
OF LIQUOR LICENSE COMMISSIONERS FOR  
BALTIMORE COUNTY.

RULE 28 - NO SALES TO MINORS

Attorney:



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

August 2, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in  
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or  
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CASE NUMBER: 97-34-X (Item 30)  
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S/S Winands Road, 270' +/- E of c/l Offutt Road  
2nd Election District - 2nd Councilmanic  
Legal Owner(s): Luis F. George and Mary H. Mitchell

Special Exception for a dental office within a residential dwelling.

HEARING: TUESDAY, SEPTEMBER 3, 1996 at 10:00 a.m. in Room 118, Old Courthouse.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon  
Director

cc: Luis F. George and Mary H. Mitchell  
J. Kevin Wight  
Patricia E. Lewis, D.D.S.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Printed with Soybean Ink  
on Recycled Paper



Printed with Soybean Ink  
on Recycled Paper

Case No. 97-34-X

Luis F. George and Mary H. Mitchell - Legal Owners  
Patricia E. Lewis, D.D.S. - Contract Lessee  
S/S Minards Road, 270' E of the c/r of Offut Road  
(9121 Minards Road)

2nd Election District

Appealed: 10/10/96

(see attached copy of  
vicinity map)





County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49  
400 WASHINGTON AVENUE  
TOWSON, MARYLAND 21204  
(410) 887-3180

Hearing Room - Room 48  
Old Courthouse, 400 Washington Avenue

December 13, 1996

NOTICE OF ASSIGNMENT

CASE #: 97-34-X

IN MATTER OF: LUIS F. GEORGE AND MARY H. MITCHELL -  
Legal Owners; and PATRICIA E. LEWIS, D.D.S. -  
Contract Lessee 9127 Winands Road  
Randallstown, MD 21117  
2nd Election District; 2nd Councilmanic  
(Petition for Special Exception DENIED.)

ASSIGNED FOR: THURSDAY, MARCH 13, 1997 at 10:00 a.m.

NOTICE: This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c). For further information, see Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code.

Kathleen C. Bianco  
Legal Administrator

cc: Counsel for Appellants /Petitioners: Francis X. Borgerding, Jr., Esq.  
Appellants /Petitioners : Patricia E. Lewis, D.D.S.  
Luis F. George and Mary H. Mitchell  
J. Kevin Wight /Hicks Engineering Co.

Counsel for Protestants : J. Carroll Holzer, Esquire  
Protestants : Andrei Stewart, President  
Sunset Ridge Community Assn.

Dr. Paul Dubansky

People's Counsel for Baltimore County  
Pat Keller  
Lawrence E. Schmidt

Arnold Jablon, Director /PDM  
Virginia W. Barnhart, Co Atty



Case No. 97-34-X

Luis F. George and Mary H. Mitchell - Legal Owners  
Patricia E. Lewis, D.D.S. - Contract Lessee

S/S Winands Road, 270' E of the c/l of Offut Road  
(9127 Winands Road)

2nd Election District      Appealed: 10/10/96

(see attached copy of  
vicinity map)



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

August 29, 1996

Mr. and Mrs. Luis George  
9127 Winands Road  
Owings Mills, MD 21133

RE: Item No.: 30  
Case No.: 97-34-X  
Petitioner: Luis George, et ux

Dear Mr. and Mrs. George:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on July 23, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, appearing to read "W. Carl Richards, Jr.", is written over a printed name.

W. Carl Richards, Jr.  
Zoning Supervisor

WCR/re  
Attachment(s)



B A L T I M O R E   C O U N T Y,   M A R Y L A N D

I N T E R O F F I C E   C O R R E S P O N D E N C E

TO:           Arnold Jablon, Director  
              Department of Permits & Development  
              Management

Date:   August 9, 1996

FROM:       Robert W. Bowling, Chief  
              Development Plans Review Division

SUBJECT:   Zoning Advisory Committee Meeting  
              for August 12, 1996  
              Item No. 030

              The Development Plans Review Division has reviewed the subject zoning item. The parking should be buffered from the adjacent residences. An adequate on-site maneuvering area must be provided.

RWB:HJO:jrb

cc:   File

ZONE21B

Copy of comment forwarded to Commissioner. J.L.  
8/28/96

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM

DATE: August 28, 1996

FROM: Arnold F. "Pat" Keller, III, Director, OP

SUBJECT: 9127 Winands Road

INFORMATION:

Item Number: 30

Petitioner: George Property

Property Size:

Zoning: DR 3.5

Requested Action:

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

The site is located in a Master Plan designated "Community Conservation" area. The Master Plan states, "Proposals encouraging extra traffic harmful to the neighborhood should be avoided."

It is the opinion of this office that a special exception for an office use would be highly undesirable at this particular location. The subject site is well into the neighborhood, and such a use would potentially be detrimental to the health, safety and welfare of the community.

Special exception office uses impact neighborhoods, bringing in more traffic and extensive parking areas which result in a character more suited to a business community than to a residential community. Therefore, the Office of Planning recommends denial of the applicant's request.

Prepared by:

Division Chief:

AFK/JL/lw  
ITEM30/PZONE/ZAC1

Baltimore County Government  
Fire Department



700 East Joppa Road  
Towson, MD 21286-5500

Office of the Fire Marshal  
(410) 887-4880

DATE: 08/07/96

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF AUGUST 05, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 26, 27, 28, 29, 30, 31, 32, 34,  
35, 36, 37, 38, 39 AND 41.

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



Printed with Soybean Ink  
on Recycled Paper

*Handwritten signature/initials*



# BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

TOWSON, MARYLAND 21204

*C. J. Abbott*  
DIRECTOR

## PLUMBING PERMIT

*John R. Ring*  
BUILDINGS ENGINEER

PERMIT #: P280036 CONTROL #: 280036 DIST: 11 PREC: 00  
BUILDING PERMIT #: TAX ACCT #: 1116003000 DATE ISSUED: 08/08/96  
SEWAGE DISPOSAL: METRO RECEIPT #: A309852  
TYPE OF BUILDING: SFD OLD OR NEW (O OR N): OLD

### APPLICANT INFORMATION

NAME: ROBERT H RUETER  
COMPANY: STATE MECHANICAL CONTRACTOR  
ADDR1: 6401 HARFORD RD  
ADDR2: 21214  
PHONE #: 426 8800 LICENSE #: MP649

### OWNERS INFORMATION

NAME: ROBERTSON, ROBERT  
ADDR:

LOCATION OF PROPERTY: 5417 FORGE RD  
SUBDIVISION: FORGE ACRES  
LOT #: BLOCK: SECTION:  
TOWN OR VICINITY: PERRY HALL NO. OF GAS METERS:

| GAS PERMIT: | RANGE: | WATER<br>HEATER<br>BTU | FURNACE<br>BTU | OTHERS<br>BTU | SIZE OF<br>PIPE |
|-------------|--------|------------------------|----------------|---------------|-----------------|
|-------------|--------|------------------------|----------------|---------------|-----------------|

CAUTION: PLASTIC WATER SERVICE LINES WILL REQUIRE A REVIEW OF THE ELECTRICAL SYSTEM TO ASSURE PROPER GROUND. CONTACT AN ELECTRICAL CONTRACTOR.

| CHECK<br>HERE | WORK BEING PERFORMED      | NO. OF<br>FIXTURES | CHARGES |
|---------------|---------------------------|--------------------|---------|
| X             | CONNECT EXIST. FIXTURES   | 008                | 15.00   |
| X             | SEWER HOUSE CONNECTION    |                    | 17.00   |
| X             | SEWER SRVC. CHG. PRORATED |                    | 165.00  |
|               | TOTALS                    |                    | 197.00  |

| NUMBER OF FIXTURES |     |     |     | TYPE OF FIXTURES | NO. | @    | TOTAL  |
|--------------------|-----|-----|-----|------------------|-----|------|--------|
| EX                 | NEW | REC | REM |                  |     |      |        |
| 002                | 000 | 000 | 000 | BATHTUB/RM GROUP | 002 | 6.00 | 12.00  |
| 001                | 000 | 000 | 000 | KITCHEN SINK     | 001 | 2.00 | 2.00   |
| 001                | 000 | 000 | 000 | LAUNDRY TRAY     | 001 | 2.00 | 2.00   |
| 008                | 000 | 000 | 000 | TOTALS           | 000 | 2.00 | 16.000 |



BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

TO: PDM

DATE: Aug 8, 91

FROM: R. Bruce Seeley  
Permits and Development Review  
DEPRM

SUBJECT: Zoning Advisory Committee

Meeting Date: Aug 5, 91

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

26  
27  
29  
30  
31  
32  
34  
36  
37  
40  
41  
42

RBS:sp

BRUCE2/DEPRM/TXTSBP



# BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

TOWSON, MARYLAND 21204

*[Signature]*  
DIRECTOR

*[Signature]*  
BUILDINGS ENGINEER



**Maryland Department of Transportation**  
**State Highway Administration**

David L. Winstead  
Secretary  
Hal Kassoff  
Administrator

8-5-96

Ms. Joyce Watson  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

RE: Baltimore County  
Item No. 030(JRF)

Dear Ms. Watson:

This office has reviewed the referenced plan and we have no objection to approval as the development does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions. Thank you for the opportunity to review this plan.

Very truly yours,

*for Bob Small*  
Ronald Burns, Chief  
Engineering Access Permits  
Division

BS

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

97-34-X  
mes. 9/3/96

TO: Arnold Jablon, Director, PDM

DATE: August 28, 1996

FROM: Arnold F. "Pat" Keller, III, Director, OP

SUBJECT: 9127 Winands Road

INFORMATION:

Item Number: 30  
Petitioner: George Property  
Property Size: \_\_\_\_\_  
Zoning: DR 3.5  
Requested Action: \_\_\_\_\_  
Hearing Date:       /      /      

SUMMARY OF RECOMMENDATIONS:

The site is located in a Master Plan designated "Community Conservation" area. The Master Plan states, "Proposals encouraging extra traffic harmful to the neighborhood should be avoided."

It is the opinion of this office that a special exception for an office use would be highly undesirable at this particular location. The subject site is well into the neighborhood, and such a use would potentially be detrimental to the health, safety and welfare of the community.

Special exception office uses impact neighborhoods, bringing in more traffic and extensive parking areas which result in a character more suited to a business community than to a residential community. Therefore, the Office of Planning recommends denial of the applicant's request.

Prepared by: Jeffrey W. Long  
Division Chief: Dan L. Keller

AFK/JL/lw  
ITEM30/PZONE/ZAC1



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

October 15, 1996

Mr. J. Kevin Wight  
Hicks Engineering Company  
200 E. Joppa Road, Suite 402  
Towson, MD 21286

RE: Petition for Special  
Exception  
S/S Winands Road, 270' E  
of the c/l of Offut Road  
(9127 Winands Road)  
2nd Election District  
2nd Councilmanic District  
Luis F. George and Mary  
H. Mitchell - Legal Owners  
Patricia E. Lewis, D.D.S.  
- Contract Lessee  
Case No. 97-34-X

Dear Mr. Wight:

Please be advised that an appeal of the above-referenced case was filed in this office on October 10, 1996 by Francis X. Borgerding, Jr., Esquire on behalf of Patricia E. Lewis, D.D.S., Luis R. George and Mary H. Mitchell. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you have any questions concerning this matter, please do not hesitate to call 887-3180.

Sincerely,

A handwritten signature in black ink, appearing to read "Arnold Jablon", is written over a horizontal line.

ARNOLD JABLON  
Director

AJ:rye

c: Mr. Andrei Stewart  
People's Counsel

2011 OCT 13 10 00 56



APPEAL

Petition for Special Exception  
S/S Winands Road, 270' E of the c/l of Offutt Road  
(9127 Winands Road)  
2nd Election District - 2nd Councilmanic District  
Luis F. George and Mary H. Mitchell - Legal Owners  
Patricia E. Lewis, D.D.S. - Contract Lessee  
Case No. 97-34-X

✓ Petition for Special Exception

✓ Description of Property

✓ Certificate of Posting

✓ Certificate of Publication

✓ Entry of Appearance of People's Counsel

✓ Zoning Advisory Committee Comments

Petitioners' Exhibit: ✓ 1 - Plan to Accompany Petition for Special Exception

Protestants' Exhibits: ✓ 1 - Petition with Forty-six Signatures  
✓ 2 - Neighborhood Map  
✓ 3 - 25 Photographs

✓ Four Photographs not Marked as Exhibits

✓ Deputy Zoning Commissioner's Order dated September 11, 1996 (Denied)

✓ Notice of Appeal received on October 10, 1996 from Francis X. Borgerding, Jr., Esquire on behalf of Patricia E. Lewis, Luis F. George and Mary H. Mitchell

c \* Francis X. Borgerding, Jr., Esquire, Mercantile Building, Suite 600, 409 Washington Avenue, Towson, MD 21204  
Patricia E. Lewis, D.D.S., Mr. Luis F. George and Ms. Mary H. Mitchell, 9127 Winands Rd., Owings Mills, MD 21133  
Mr. J. Kevin Wight, Hicks Engineering Company, 200 E. Joppa Road, Suite 402, Towson, MD 21286  
Mr. Andrei Stewart, President, Sunset Ridge Community Association, Inc., 3681 Offutt Road, P.O. Box 118, Randallstown, MD 21133  
People's Counsel of Baltimore County, M.S. 2010

Request Notification: Timothy Kotroco, Deputy Zoning Commissioner  
Arnold Jablon, Director of PDM

J CARROLL HOLZER ESQUIRE  
HOLZER AND LEE  
305 WASHINGTON AVENUE SUITE 502  
TOWSON MD 21204

Entered appearance 10/24/96 on  
behalf of Andrei Stewart, Pres.  
Sunset Ridge Comm. Assn., both  
individually and on behalf of the  
community association.

1E

Dr. Paul Dubansky  
1 W. Pennsylvania Avenue  
Towson, MD 21204

APPEAL

Petition for Special Exception  
S/S Winands Road, 270' E of the c/l of Offutt Road  
(9127 Winands Road)  
2nd Election District - 2nd Councilmanic District  
Luis F. George and Mary H. Mitchell - Legal Owners  
Patricia E. Lewis, D.D.S. - Contract Lessee  
Case No. 97-34-X

Petition for Special Exception

Description of Property

Certificate of Posting

Certificate of Publication

Entry of Appearance of People's Counsel

Zoning Advisory Committee Comments

Petitioners' Exhibit: 1 - Plan to Accompany Petition for Special  
Exception

Protestants' Exhibits: 1 - Petition with Forty-six Signatures  
2 - Neighborhood Map  
3 - 25 Photographs

Four Photographs not Marked as Exhibits

Deputy Zoning Commissioner's Order dated September 11, 1996 (Denied)

Notice of Appeal received on October 10, 1996 from Francis X.  
Borgerding, Jr., Esquire on behalf of Patricia E. Lewis, Luis F. George  
and Mary H. Mitchell

c: Francis X. Borgerding, Jr., Esquire, Mercantile Building, Suite  
600, 409 Washington Avenue, Towson, MD 21204  
Patricia E. Lewis, D.D.S., Mr. Luis F. George and Ms. Mary H.  
Mitchell, 9127 Winands Rd., Owings Mills, MD 21133  
Mr. J. Kevin Wight, Hicks Engineering Company, 200 E. Joppa Road,  
Suite 402, Towson, MD 21286  
Mr. Andrei Stewart, President, Sunset Ridge Community Association,  
Inc., 3681 Offutt Road, P.O. Box 118, Randallstown, MD 21133  
People's Counsel of Baltimore County, M.S. 2010

Request Notification: Timothy Kotroco, Deputy Zoning Commissioner  
Arnold Jablon, Director of PDM

Case No. 97-34-X

SE -To permit dental office within a residential dwelling.

9/11/96 -Deputy Zoning Commissioner's Order in which Petition for Special Exception was DENIED.

---

10/24/96 -Entry of Appearance filed by J. Carroll Holzer, Esquire, on behalf of Andrei Stewart, President, Sunset Ridge Community Association, both individually on behalf of Mr. Stewart and on behalf of the Sunset Ridge Comm. Assn.

---

12/13/96 -Notice of Assignment for hearing scheduled for Thursday, March 13, 1997 at 10:00 a.m. sent to following:

Counsel for Appellants /Petitioners: Francis X. Borgerding, Jr., Esq.  
Appellants /Petitioners : Patricia E. Lewis, D.D.S.  
Luis F. George and Mary H. Mitchell

J. Kevin Wight /Hicks Engineering Co.

Counsel for Protestants : J. Carroll Holzer, Esquire  
Protestants : Andrei Stewart, President

Sunset Ridge Community Assn.

Dr. Paul Dubansky

People's Counsel for Baltimore County

Pat Keller

Lawrence E. Schmidt

Arnold Jablon, Director /PDM  
Virginia W. Barnhart, Co Atty

---

3/05/97 -Request for dismissal of appeal filed by F. Borgerding, Counsel for Appellants /Petitioners. Order of Dismissal to be issued by CBA.

---





County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49  
400 WASHINGTON AVENUE  
TOWSON, MARYLAND 21204  
(410) 887-3180

November 1, 1996

Dr. Paul Dubansky  
1 W. Pennsylvania Avenue  
Towson, MD 21204

RE: Case No. 97-34-X  
Luis F. George and Mary H. Mitchell  
/Legal Owners; Patricia E. Lewis, DDS  
/Contract Lessee -- Petitioners

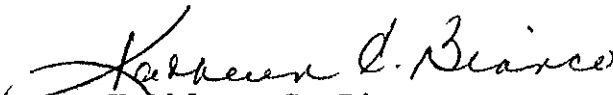
Dear Dr. Dubansky:

In response to your telephone request, enclosed are copies of the following: (1) the Deputy Zoning Commissioner's Order of September 11, 1996 in which the subject Petition for Special Exception was denied; (2) the letter of appeal from Francis X. Borgerding, Jr., Esquire, filed on behalf of Petitioners; and (3) a letter of notification from Arnold Jablon, Director /PDM, advising that an appeal has been filed.

A hearing date has not yet been scheduled; however, that date should be some time early in 1997. I've noted the file with your name and address, and you will receive a copy of the Notice of Assignment when the hearing date has been set.

Should you have any further questions, please call me.

Very truly yours,

  
Kathleen C. Bianco  
Legal Administrator

Enclosures

IN THE MATTER OF

\*

BEFORE THE

Luis F. George and Mary H. Mitchell

\*

COUNTY BOARD OF APPEALS

and Patricia E. Lewis, D.D.S.

\*

BALTIMORE COUNTY

9127 Winands Road, Randallstown

\*

CASE NO. 97-34-X

\* \* \* \* \*

SUBPOENA

Please issue a Subpoena to the following named witness to appear before the County Board of Appeals of Baltimore County at the hearing for the matter captioned above on Thursday, March 13, 1997 at 10:00a.m. at Room 48, located at the Old Courthouse, 400 Washington Avenue and continuing thereafter as necessary for such witness' testimony and as scheduled by the Board.

Witness: Jeff Long

Address: Planning Office, County Courts Building, Towson

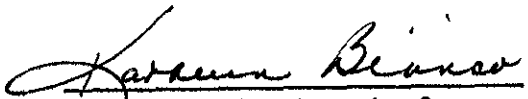
Name: J. Carroll Holzer

Firm: Holzer and Lee

Address: 305 Washington Avenue, Suite 502,  
Towson, Maryland 21204

825-6961

The witness named above is hereby ordered to so appear before the County Board of Appeals. The Board requests the Sheriff to issue the summons set forth herein.

  
County Board of Appeals of  
Baltimore County

Cost: \$ \_\_\_\_\_

Summoned: \_\_\_\_\_, 19\_\_\_\_

Not Served: \_\_\_\_\_, 19\_\_\_\_

Sheriff of Baltimore County

60-1-100-100

BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: November 18, 1997  
Permits & Development Management

FROM: Charlotte E. Radcliffe  
County Board of Appeals

SUBJECT: Closed File: Case No. 97-34-X  
LUIS F. GEORGE AND MARY H. MITCHELL, L.O.  
and PATRICIA E. LEWIS, DDS -C.L.  
2nd E; 2nd C

As no further appeals have been taken in the above captioned case, which was dismissed by Order dated March 12, 1997, we are hereby closing the file and returning same to you herewith.

Attachment (Case File No. 97-34-X)

96-5400

**FRANCIS X. BORGERDING, JR.**

*Attorney at Law*

MERCANTILE BUILDING - SUITE 600  
409 WASHINGTON AVENUE  
TOWSON, MARYLAND 21204  
(410) 296-6820  
FAX (410) 296-6884

*Member of Maryland and  
District of Columbia Bar*

10/8/96  
To SW  
To: R.S.  
10/10 ua

October 8, 1996

Arnold Jablon, Director  
Baltimore County Office of  
Permits & Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

RE: Case No.: 97-34-X  
Petition for Special Exception for  
Property known as 9127 Winands Road  
Randallstown, MD 21117  
Petitioners: Luis F. George and Mary H.  
Mitchell, Legal Owners and  
Patricia E. Lewis, D.D.S.,  
Contract Lessee

Dear Mr. Jablon:

Enclosed please find a Notice of Appeal to be filed in the above-referenced case on behalf of my clients, Patricia E. Lewis, D.D.S., Contract Lessee, and Luis F. George and Mary H. Mitchell, legal owners, of the above-referenced property. Please also find a check in the amount of \$285.00 made payable to Baltimore County, Maryland, to cover the cost of the appeal.

If you have any questions in relation to the above, please feel free to contact me.

Very truly yours,

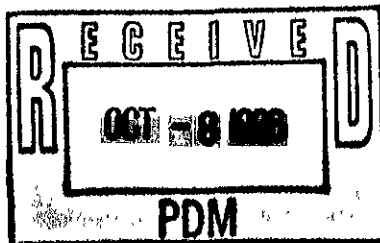


FRANCIS X. BORGERDING, JR.

FXBJr:bjk

Enclosure

cc: Patricia E. Lewis, D.D.S.  
Luis F. George and Mary H. Mitchell





LAW OFFICES

J. CARROLL HOLZER, PA  
THOMAS J. LEE

J. HOWARD HOLZER  
1907-1989

TOWSON OFFICE  
305 WASHINGTON AVENUE  
SUITE 502  
TOWSON, MD 21204  
(410) 825-6961  
FAX: (410) 825-4923

CARROLL COUNTY OFFICE  
1315 LIBERTY ROAD  
ELDERSBURG, MD 21784  
(410) 795-8556  
FAX: (410) 795-5535

October 24, 1996  
#6978

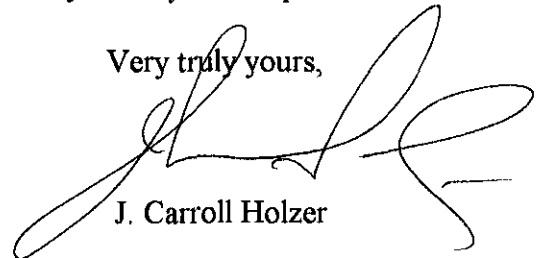
Robert Schuetz, Chairman  
Baltimore County Board of Appeals  
Old Courts Building  
Towson, Maryland 21204

Re: *Case No.: 97-34-X*  
*Petition for Special Exception*  
*for 9127 Winands Road*

Dear Mr. Schuetz:

Please enter my appearance representing the Protestants in the above captioned matter and advise me of the hearing date when it is scheduled by the Board. Thank you for your cooperation.

Very truly yours,



J. Carroll Holzer

JCH:alt

cc: Frances X. Borgerding, Jr.

C:\WPDOC\SCHUETZ LTR

# PROTESTANT'S EXHIBIT NO. 1

Sunset Ridge Community Association  
3681 Offutt Road P.O. Box 118  
Randallstown, MD 21133

August 30, 1996

Be it known that on this date, August 30, 1996, The Sunset Ridge Community Association is petitioning the Baltimore County Zoning Board to not grant approval for the opening of the Dental Office of Dr. Patricia Vanstory-Lewis which will be located at 9127 Winands Road Owings Mills, MD 21117.

Name

Address

Signature

|                        |  |                        |
|------------------------|--|------------------------|
| ANDREI L. STEWART      | 9 SUNRISE COURT<br>RANDALLSTOWN, MD 21133      | Andrei L. Stewart      |
| Vera Bethune - Stewart | 9 Sunrise Court<br>Randallstown, MD 21133      | Vera Bethune - Stewart |
| DARRELL HAMILTON       | 22 SUNRISE CT<br>RANDALLSTOWN MD 21133         | Darrell Hamilton       |
| JEANNE ANDOLINA        | 9127 Sunset Ridge Rd<br>Randallstown, MD 21133 | Jeanne Dr. Andolina    |
| Vincent Andolina       | 9127 Sunset Ridge Rd<br>Randallstown MD 21133  | Vincent Andolina       |
| GRACIE MOORE-GREENE    | 9125 Sunset Ridge Rd.<br>Randallstown 21133    | Gracie Moore - Greene  |
| Paul A. GREENE         | 9125 Sunset Ridge Rd.<br>Randallstown MD 21133 | Paul A. Greene         |
| John J. Fitzsimmons    | 9111 Sunset Ridge Rd<br>Randallstown MD 21133  | John J. Fitzsimmons    |
| Becky B. Fitzsimmons   | 9111 Sunset Ridge Rd.<br>Randallstown MD 21133 | Becky B. Fitzsimmons   |
| Eric Hawkins           | 9125 Sunset Ridge Rd.<br>Randallstown MD 21133 | Eric Hawkins           |
| Michael Carr           | 9130 Sunset Ridge Rd<br>Randallstown MD 21133  | Michael Carr           |
| Wanda Latimore         | 9137 Sunset Ridge Rd<br>Randallstown MD 21133  | Wanda Latimore         |
| Michael Latimore       | " " "  | Michael Latimore       |
| William Dent           | 10 Sunrise Ct. Randallstown<br>MD 21133        | William Dent           |
| Lawrence White         | 16 Sunrise Ct                                  | Lawrence A. White      |
| Philip Sample          | 18 SUNRISE CT                                  | Philip Sample          |
| Greene Witherspoon     | 9103 Sunset Ridge Rd<br>Randallstown 21133     | Greene Witherspoon     |
| PAULETTE WITTERSPON    | 9103 SUNSET Ridge Rd<br>RANDALLSTOWN, MD 21133 | Paulette Witterspoon   |
| Craig & Doris Grays    | 23 Sunrise Ct<br>Randallstown MD 21133         | Craig & Doris Grays    |
| RAY SZYMANSKI          | 3 SUNRISE CT                                   | Ray Szymanski          |

**Sunset Ridge Community Association  
3681 Offutt Road P.O. Box 118  
Randallstown, MD 21133**

**August 30, 1996**

**Be it known that on this date, August 30, 1996, The Sunset Ridge Community Association is petitioning the Baltimore County Zoning Board to not grant approval for the opening of the Dental Office of Dr. Patricia Vanstory-Lewis which will be located at 9127 Winands Road Owings Mills, MD 21117.**

**Name**

**Address**

**Signature**

|                    |                      |                      |
|--------------------|----------------------|----------------------|
| Julius MASON       | 9117 Sunset Ridge Rd | Julius Mason         |
| Linda MASON        | 9117 Sunset Ridge Rd | Linda Mason          |
| James Johnson      | 9115 Sunset Ridge Rd | James Johnson        |
| Robyn Washington   | 9119 Sunset Ridge Rd | Robyn Washington     |
| Michael Washington | 9119 Sunset Ridge Rd | Michael Washington   |
| Jimmie H. Johnson  | 9121 Sunset Ridge Rd | Jimmie H. Johnson    |
| Ann Marie Johnson  | 9121 Sunset Ridge Rd | Ann Marie Johnson    |
| Charles Byrd       | 9113 Sunset Ridge Rd | Charles Byrd         |
| GLORIA G MASON     | 9109 Sunset Ridge Rd | Gloria G Mason       |
| RAYMOND GRIFFITH   | 9101 Sunset Ridge Rd | Raymond Griffith     |
| WALLACE CHRISTIAN  | 9100 Sunset Ridge Rd | Wallace Christian    |
| Ed. TILLERY        | 9122 Sunset Ridge Rd | Edward Tillery       |
| Leon R Henderson   | 9135 Sunset Ridge Rd | Leon Henderson       |
| Phyllis L. Jarris  | 9141 Sunset Ridge Rd | Phyllis L. Jarris    |
| Deborah Blackwell  | 9143 Sunset Ridge Rd | Deborah A. Blackwell |
| Joey Blackwell     | 9143 Sunset Ridge Rd | Joey Blackwell       |
| Mary Cannon        | 4013 Offutt Rd       | Mary Cannon          |
| Ernest E Cannon    | 4013 Offutt Rd       | Ernest E Cannon      |
| Dwight Wynn        | 21 Sunrise Ct        | Dwight Wynn          |
| Curley Jones       | 25 Sunrise Ct        | Curley Jones         |

**August 30, 1996**

**Be it known that on this date, August 30,1996, The Sunset Ridge Community Association is petitioning the Baltimore County Zoning Board to not grant approval for the opening of the Dental Office of Dr. Patricia Vanstorsy-Lewis which will be located at 9127 Winands Road Owings Mills, MD 21117.**

[illegible]



photographs  
Case 97-34-SPX  
A-D

MONITORING

## SUNSET RIDGE DEVELOPMENT



'B'

9127 WINANDS ROAD

6/13/96 KW

PROP. LOCATION OF DENTAL OFFICE



'C'

9127 WINANDS ROAD

6/13/96 KW

(D) WENTRANCE @ WINANDS ROAD



'A'

9127 WINANDS ROAD

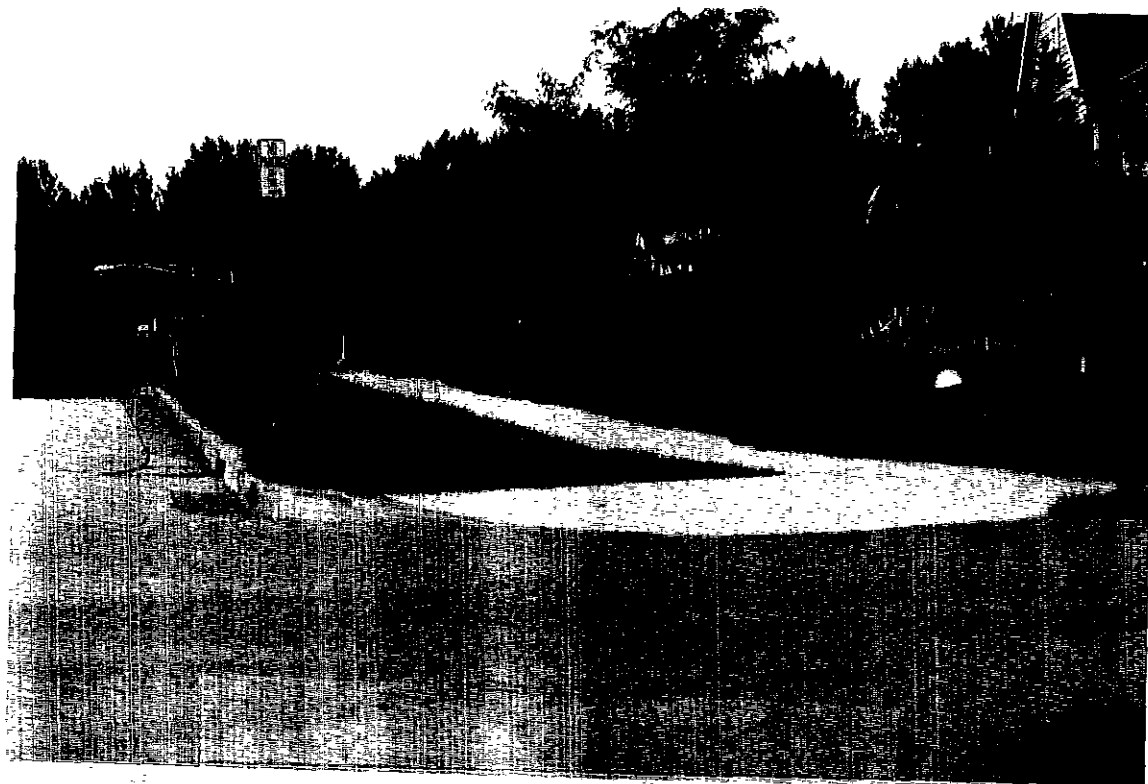
6/13/96 KW



'D'

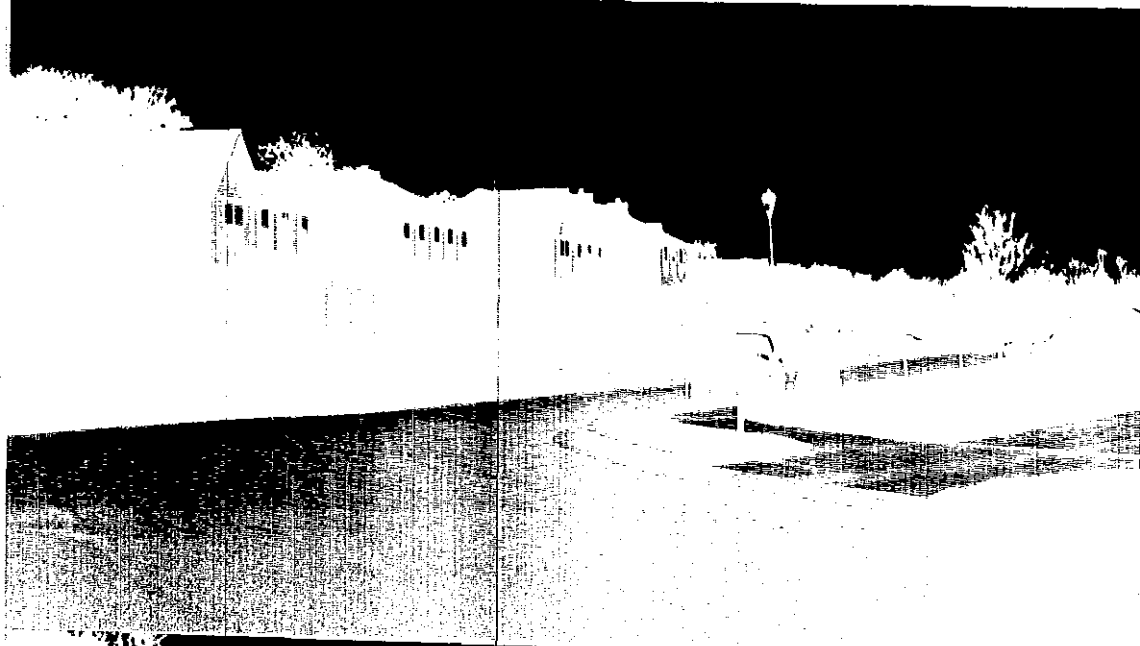
9127 WINANDS ROAD

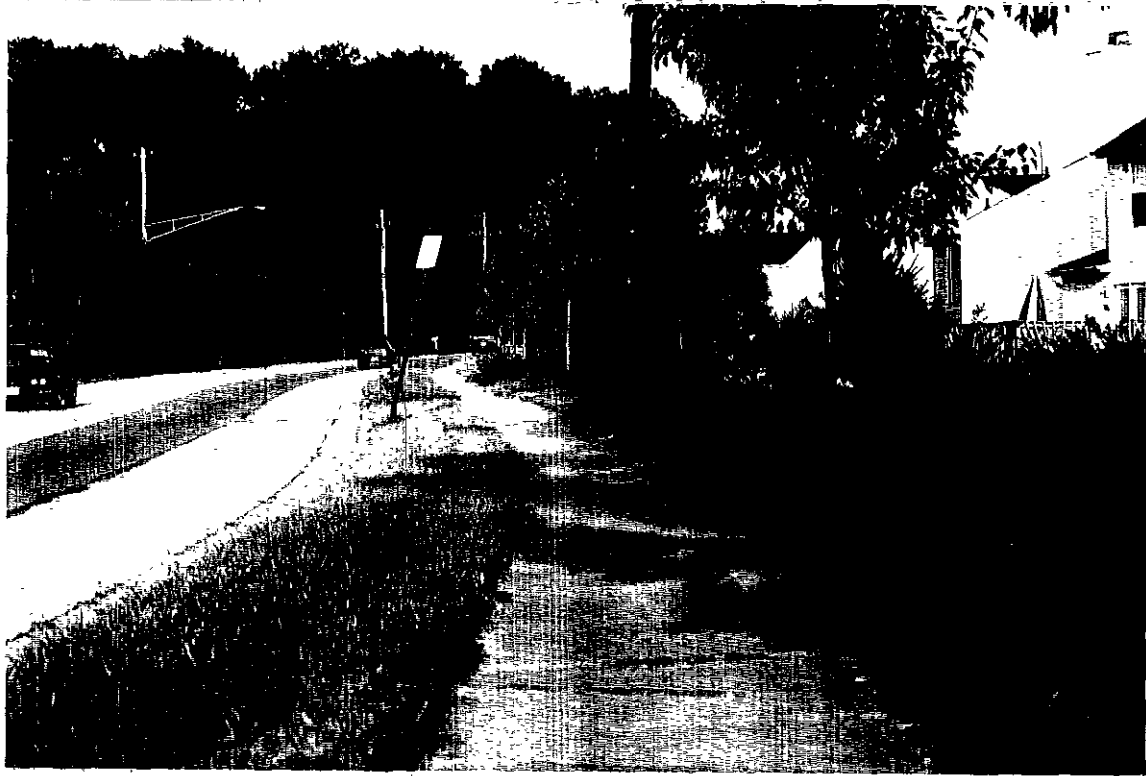
6/13/96 KW





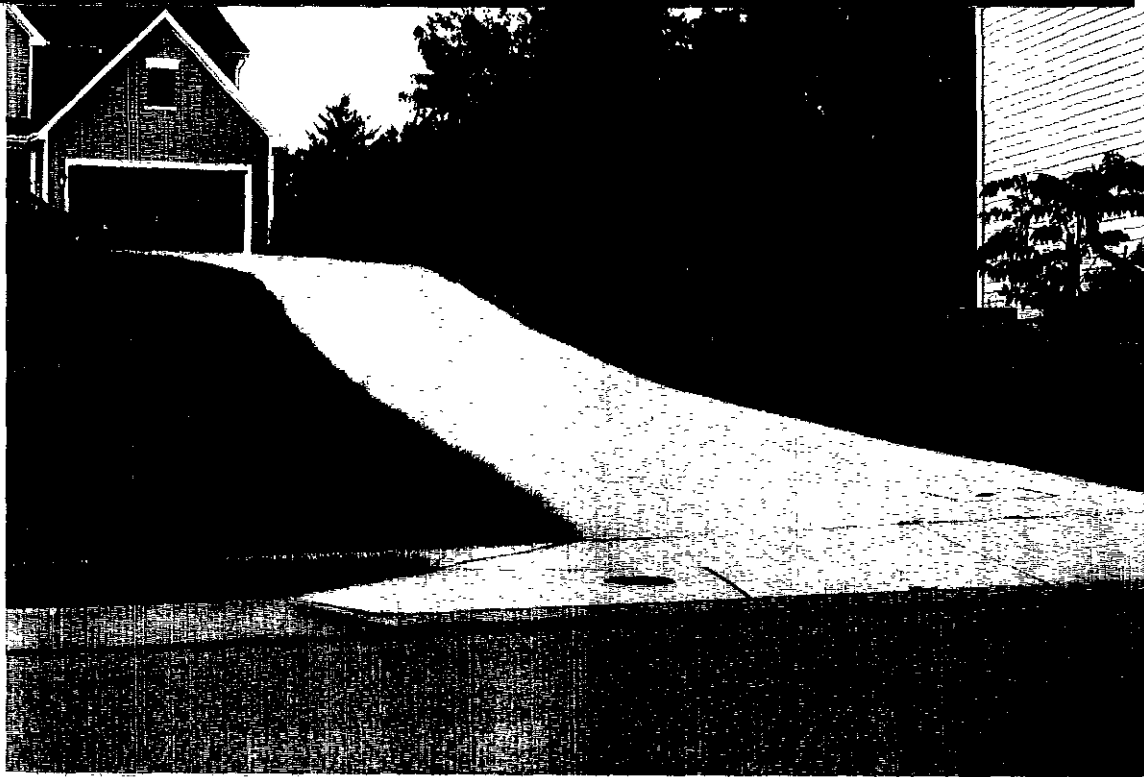
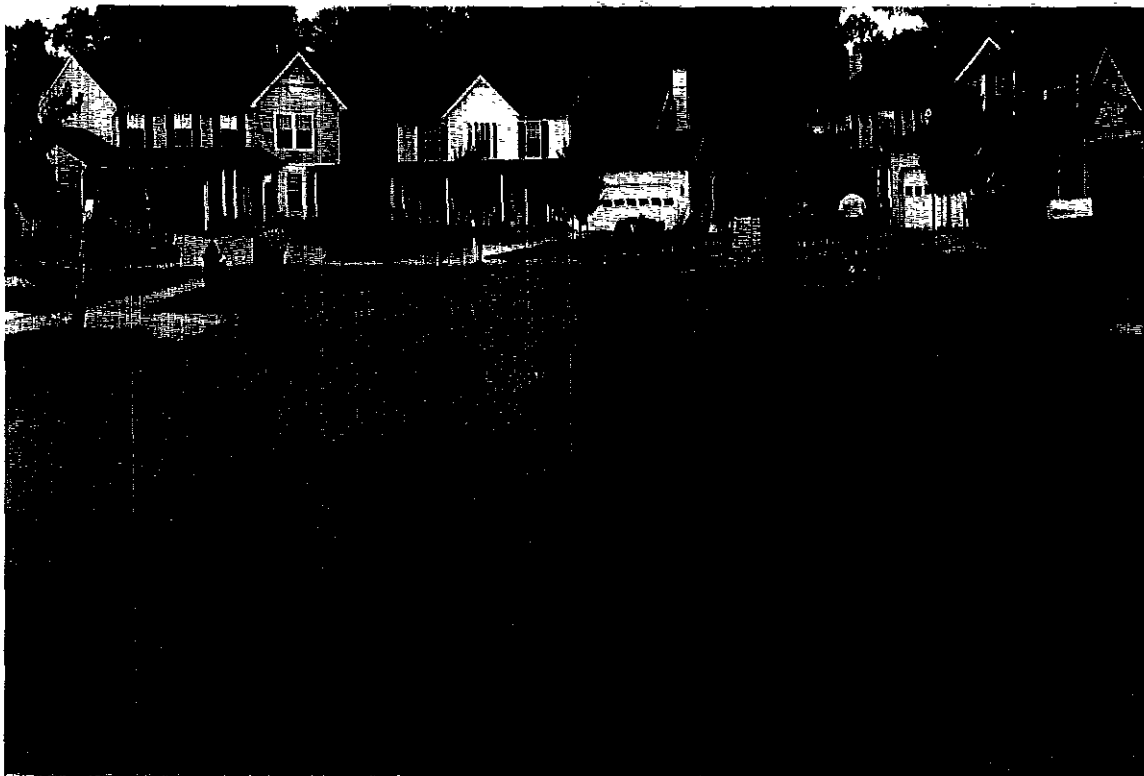


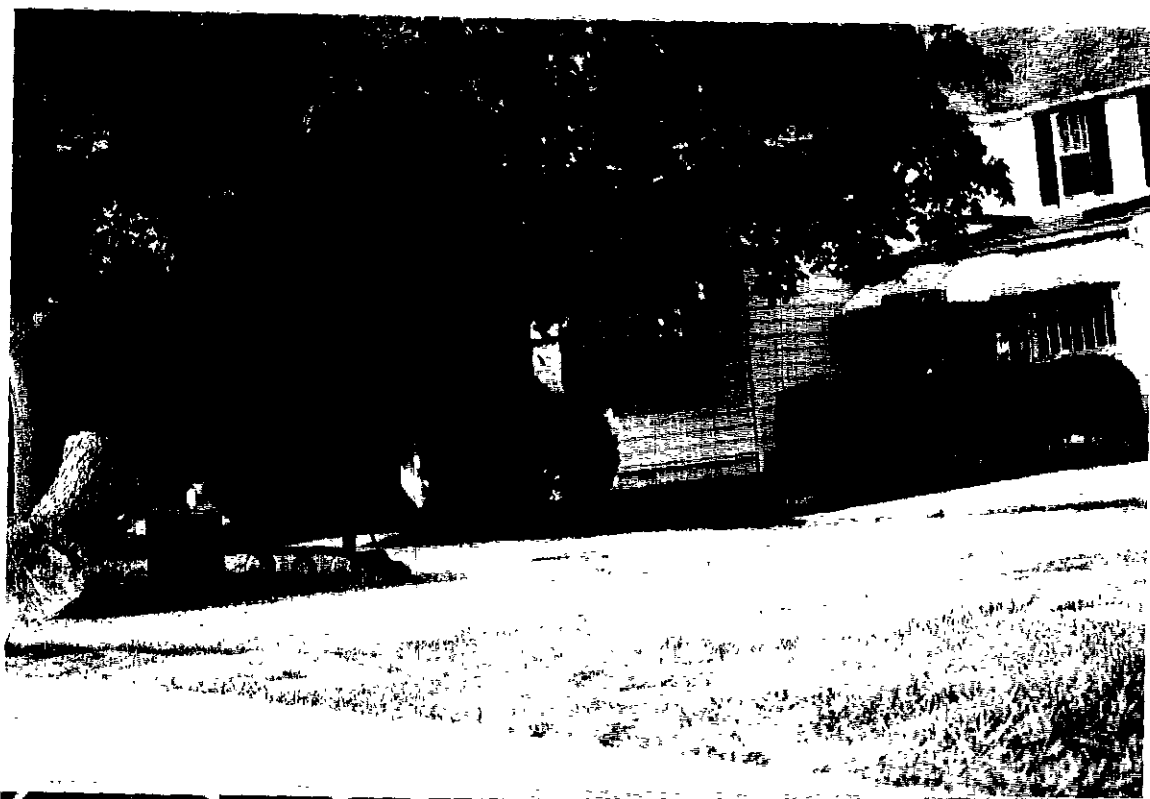




















IN RE: PETITION FOR SPECIAL EXCEPTION \* BEFORE THE  
S/S Winands Road, 270' E of the \*  
c/l of Offutt Road \* DEPUTY ZONING COMMISSIONER  
(9127 Winands Road) \*  
2nd Election District \* OF BALTIMORE COUNTY  
2nd Councilmanic District \* Case No. 97-34-X  
Luis F. George and Mary H. Mitchell, Legal Owners; and \*  
Patricia E. Lewis, D.D.S., Contract Lessee \*  
\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Exception for that property known as 9127 Winands Road, located in the vicinity of Offutt Road and the Sunset Ridge Community in Randallstown. The Petition was filed by the owners of the property, Luis F. George and Mary H. Mitchell, and the Contract Lessee, Patricia E. Lewis, D.D.S. The Petitioners seek a special exception to permit a dental office within a residential dwelling, in accordance with the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Luis George, owner of the property, Dr. Patricia Lewis, Contract Lessee, and Kevin White, Professional Engineer who prepared the site plan for this property. Appearing in opposition to the request was Mr. Andrei Stewart, President of the Sunset Ridge Community Association.

Testimony and evidence offered revealed that the subject property consists of 0.551 acres, more or less, zoned D.R. 3.5 and is improved with a large, two-story frame dwelling, and attached two-car garage. Dr. Lewis testified that she has been a dentist since 1981 and until two weeks ago, had operated her dental practice from a location in south Baltimore for the past 13 years. Dr. Lewis recently leased the subject property from Mr.

ORDER RECEIVED FOR FILING  
Date 9/11/96  
By [Signature]



George and Ms. Mitchell and would like to relocate her practice to the subject site.

Appearing in opposition to the Petitioners' request was Andrei Stewart. Mr. Stewart introduced as Protestant's Exhibit 1 a Petition of Opposition which had been signed by many of the residents of the Sunset Ridge Community. He also submitted as Protestant's Exhibit 2, a map of the neighborhood and as Protestant's Exhibit 3, photographs of several of the houses within that neighborhood. Mr. Stewart testified that he and the community are opposed to Dr. Lewis establishing a dental practice at the subject location. The neighborhood is opposed to a commercial operation taking place in their residential neighborhood and the traffic and parking problems that would be generated by the proposed use. Mr. Stewart expressed their further concerns over the storage of drugs and syringes that are kept on the premises and used in conjunction with the dental practice. They are also concerned over the disposal of the medical waste generated by virtue of a dental practice.

Mr. Stewart further testified that they are experiencing problems with students who attend Randallstown High School who loiter in their neighborhood and fear that allowing a dental practice to exist in the neighborhood would give those students an excuse to loiter in that they could say they were waiting for a dental appointment. The association is strongly opposed to the granting of any special exception relief.

It should also be noted that several comments were submitted from the various Baltimore County reviewing agencies. In particular, the Office of Planning submitted a comment dated August 28, 1996 wherein they recommend denial of the special exception request. The Planning Office is opposed to the special exception in that they believe the operation of a

dental practice at the subject location would have an adverse impact on the surrounding residential community.

After reviewing all of the testimony and evidence presented by the Petitioners as well as Mr. Stewart, and in consideration of the comments submitted by the Office of Planning, I am persuaded to deny the special exception request.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. In fact, the Petitioner has not shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have an adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

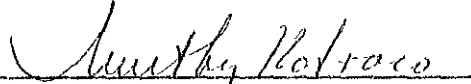
The proposed use will be detrimental to the health, safety, or general welfare of the locality, and will tend to create congestion in roads, streets, or alleys therein. It will be inconsistent with the purposes of the property's zoning classification, and inconsistent with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, it appears that the requirements of Section 502.1 have not been met and that the health, safety, and general welfare of the community shall be adversely affected. Therefore, the relief requested in the special exception should be denied.

COPIES  
Date 9/11/96  
By [Signature]

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 11<sup>th</sup> day of September, 1996 that the Petition for Special Exception to permit a dental office within a residential dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby DENIED; and,

IT IS FURTHER ORDERED that the Petitioners shall have thirty (30) days from the date of this Order to file an appeal of this decision.

  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING  
Date 9/11/96  
By [Signature]

IN THE MATTER OF  
THE APPLICATION OF  
LUIS F. GEORGE AND MARY H.  
MITCHELL -LEGAL OWNERS; AND  
PATRICIA E. LEWIS, DDS -  
CONTRACT LESSEE /PETITIONERS  
FOR A SPECIAL EXCEPTION ON  
PROPERTY LOCATED ON THE SOUTH  
SIDE WINANDS ROAD, 270' EAST  
OF OFFUTT RD (9127 OFFUTT RD)  
2ND ELECTION DISTRICT  
2ND COUNCILMANIC DISTRICT

\* BEFORE THE  
\* COUNTY BOARD OF APPEALS  
\* OF  
\* BALTIMORE COUNTY  
\* CASE NO. 97-34-X  
\*  
\* \* \* \* \*

ORDER OF DISMISSAL


This matter comes to this Board on appeal from a decision of the Deputy Zoning Commissioner dated September 11, 1996 in which the Petition for Special Exception was denied.

WHEREAS, the Board is in receipt of a letter of dismissal filed by Francis X. Borgerding, Jr., Esquire, Counsel for Appellants /Petitioners, dated March 5, 1997 (a copy of which is attached hereto and made a part hereof); and

WHEREAS, said Counsel for Appellants requests that the appeal filed in this matter be dismissed as of March 5, 1997;

IT IS HEREBY ORDERED this 12th day of March, 1997 by the County Board of Appeals of Baltimore County that said appeal be and the same is hereby DISMISSED.

COUNTY BOARD OF APPEALS  
OF BALTIMORE COUNTY

  
Kristine K. Howanski, Acting Chairman

  
Harry E. Buchheister, Jr.

  
Charles L. Marks

**FRANCIS X. BORGERDING, JR.**

*Attorney at Law*

MERCANTILE-TOWSON BLDG - SUITE 600  
409 WASHINGTON AVE.  
TOWSON, MD 21204  
OFFICE (410) 296-6820  
TELEFAX (410) 296-6884

*Member of Maryland and  
District of Columbia Bar*

March 5, 1997

County Board of Appeals of  
Baltimore County  
Old Court House, Room 49  
400 Washington Avenue  
Towson, Maryland 21204


RE: Case No.: 97-34-X  
In the Matter of Luis F. George and  
Mary H. Mitchell, Legal Owners; and  
Patricia E. Lewis, D.D.S., Contract Lessee  
9127 Winands Road  
Randallstown, Maryland 21117  
Second Election District; Second Councilmanic  
District

Gentlemen/Ladies:

This correspondence is being written on behalf of the  
Appellants/Petitioners to request a dismissal of the above-  
referenced appeal now set for hearing on Thursday, March 13, 1997  
at 10:00 A.M.

Thank you very much for your cooperation with regard to this  
matter.

Very truly yours,



FRANCIS X. BORGERDING, JR.

FXBJr:bjk

cc: Patricia E. Lewis, D.D.S.  
Luis F. George and Mary H. Mitchell  
J. Carroll Holzer, Esquire



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49  
400 WASHINGTON AVENUE  
TOWSON, MARYLAND 21204  
(410) 887-3180

March 12, 1997

Francis X. Borgerding, Jr., Esquire  
DINENNA AND BRESCHI  
Suite 600  
Mercantile-Towson Building  
409 Washington Avenue  
Towson, MD 21204

RE: Case No. 97-34-X  
Patricia E. Lewis, DDS, et al

Dear Mr. Borgerding:

Enclosed please find a copy of the Order of Dismissal issued  
this date by the County Board of Appeals of Baltimore County  
in the subject matter.

Very truly yours,

A handwritten signature in cursive script, reading "Kathleen C. Bianco".

Kathleen C. Bianco  
Legal Administrator

encl.


cc: Patricia E. Lewis, DDS  
Luis F. George and Mary H. Mitchell  
J. Kevin Wight /Hicks Engineering Co.  
J. Carroll Holzer, Esquire  
Andrei Stewart, President /Sunset Ridge Comm Assn  
Dr. Paul Dubansky  
People's Counsel for Baltimore County  
Pat Keller  
Lawrence E. Schmidt  
Arnold Jablon, Director /PDM  
Virginia W. Barnhart, County Attorney

IN RE: PETITION FOR SPECIAL \* BEFORE THE  
EXCEPTION S/S Winands \*  
Road, 270'E of the \* DEPUTY ZONING COMMISSIONER  
c/l of Offutt Road \*  
(9127 Winands Road) \* OF BALTIMORE COUNTY  
2nd Election District \*  
2nd Councilmanic \* Case No.: 97-34-X  
District \*  
\*  
Luis F. George and \*  
Mary H. Mitchell, \*  
Legal Owners; and \*  
Patricia E. Lewis, \*  
D.D.S., Contract \*  
Lessee \*

\* \* \* \* \*

**NOTICE OF APPEAL**

Please enter an appeal to the Board of Appeals of Baltimore County, on behalf of Patricia E. Lewis, D.D.S. and Luis F. George and Mary H. Mitchell, from the September 11, 1996 decision of the Deputy Zoning Commissioner for Baltimore County in the above-captioned case.


  
FRANCIS X. BORGERDING, JR.  
409 Washington Avenue, Suite 600  
Towson, Maryland 21204  
(410) 296-6820  
Attorney for Patricia E. Lewis, D.D.S.  
and Luis F. George and Mary H.  
Mitchell

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 8<sup>th</sup> day of October, 1996, a copy of the foregoing was mailed, postage prepaid, to:

Mr. Andrei Stewart, President  
Sunset Ridge Community Association, Inc.  
3681 Offutt Road  
P. O. Box 118  
Randallstown, Maryland 21133

Peter Max Zimmerman, Esquire  
Room 47  
Court House  
400 Washington Avenue  
Towson, Maryland 21204

  
FRANCIS X. BORGERDING, JR.



Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

September 11, 1996

(410) 887-4386

Mr. Luis F. George  
Ms. Mary H. Mitchell  
Dr. Patricia E. Lewis  
9127 Winands Road  
Owings Mills, Maryland 21117

RE: PETITION FOR SPECIAL EXCEPTION  
S/S Winands Road, 270' E of the c/l of Offutt Road  
(9127 Winands Road)  
2nd Election District - 2nd Councilmanic District  
Luis F. George and Mary H. Mitchell, Legal Owners; and  
Patricia E. Lewis, D.D.S., Contract Lessee  
Case No. 97-34-X

Dear Mr. George, Ms. Mitchell & Dr. Lewis:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Exception has been denied in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy M. Kotroco".

TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: Mr. J. Kevin Wight, Hicks Engineering Company  
200 E. Joppa Road, Suite 402, Towson, Md. 21286

Mr. Andrei Stewart, President, Sunset Ridge Comm. Assoc., Inc.  
3681 Offutt Road, P.O. Box 118, Randallstown, Md. 21133

People's Counsel; Case File



RE: PETITION FOR SPECIAL EXCEPTION  
9127 Winands Road, S/S Winands Road,  
270'+/- E of c/l Offutt Road  
2nd Election District, 2nd Councilmanic

\*

BEFORE THE  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY

Legal Owners: Luis George and Mary Mitchell  
Contract Purchaser/Lessee: Patricia E.  
Lewis, D.D.S.

\*

CASE NO. 97-34-X

Petitioners

\*

\* \* \* \* \*

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman  
PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

Carole S. Demilio  
CAROLE S. DEMILIO  
Deputy People's Counsel  
Room 47, Courthouse  
400 Washington Avenue  
Towson, MD 21204  
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 29th day of August, 1996, a copy of the foregoing Entry of Appearance was mailed to J. Kevin Wight, 200 E. Joppa Road, Suite 402, Towson, MD 21286, representative for Petitioners.

Peter Max Zimmerman  
PETER MAX ZIMMERMAN



# Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at

9127 Winands Road

which is presently zoned

D.R.-3.5

97-34-X

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

A dental office within a Residential Dwelling.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Contract Purchaser/Lessee:

Patricia E. Lewis, D.D.S.

(Type or Print Name)

Signature

9127 Winands Road

Address

Owings Mills, MD 21133

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No

City

State

Zipcode

Legal Owner(s):

Luis F. George

(Type or Print Name)

Signature

Mary H. Mitchell

(Type or Print Name)

Signature

9127 Winands Road

Address

Phone No.

Owings Mills, MD

21133

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

J. Kevin Wight

Name

200 E. Joppa Road, Suite 402 (410)-494-0001

Address

Towson, MD

21286

Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE

7/23/96

#30

ORDER RECEIVED FOR FILING

Date

By



ZONING DESCRIPTION

97-34-X

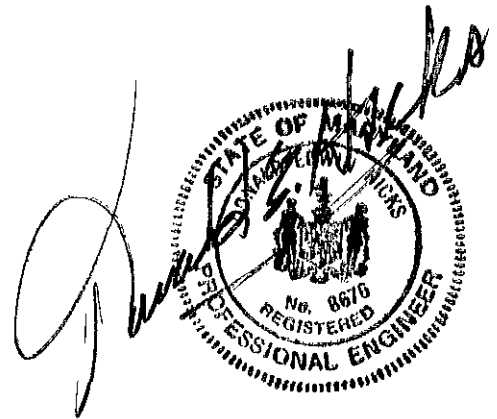
BEGINNING at a point on the south side of Winands Road which is 70 feet wide at the distance of 270 feet, more or less, east of the center-line of Offutt Road which is 70 feet wide. Thence the following courses and distances:

- 1) South 06°06'29" East, 138.57 feet,
- 2) South 18°52'04" West, 40.49 feet,
- 3) South 01°19'10" West, 121.07 feet,
- 4) South 88°40'50" East, 12.00 feet,
- 5) North 01°19'10" East, 120.00 feet,
- 6) North 88°46'01" East, 114.39 feet,
- 7) North 11°43'28" East, 76.07 feet,
- 8) North 01°41'59" West, 95.01 feet,

9) Curve to the right - R = 835.00 feet, L = 140.90 feet  
to the place of beginning as recorded in deed - Liber 10890, Folio 132.

BEING Lot No. 65 in the subdivision of "Sunset Ridge" (Plat Two) as recorded in Baltimore County Plat Book S.M. No. 63, Folio 136 and containing 0.551 acres of land. Also known as 9127 Winands Road and located in the Second Election District of Baltimore County, Maryland.

# 30



**CERTIFICATE OF POSTING**  
**ZONING DEPARTMENT OF BALTIMORE COUNTY**  
**Towson, Maryland**

97-34-X

District 2nd

Date of Posting 8/19/96

Posted for: Special Exception

Petitioner: Luis F. George & Mary H. McNeill

Location of property: 9137 Williams Rd.

Location of Sign: Facing, Midway on property being zoned

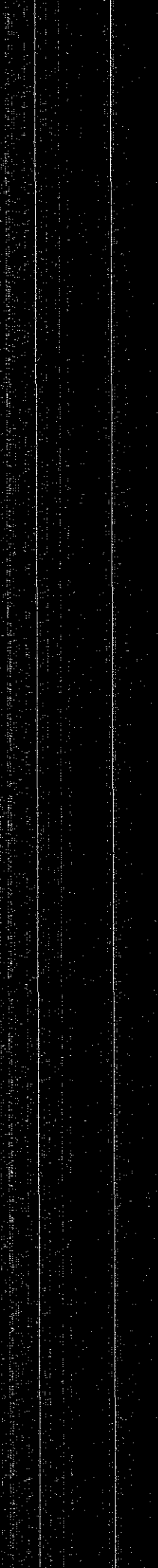
Remarks: \_\_\_\_\_

Posted by \_\_\_\_\_

M. Kelly  
Signature

Date of return: \_\_\_\_\_

Number of Signs: 1



# CERTIFICATE OF PUBLICATION

TOWSON, MD., 8/8, 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 8/8, 1996.

THE JEFFERSONIAN,

*A. H. Erickson*  
 LEGAL AD.-TOWSON

## NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 718, 000 Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case #97-34-X  
 (Item 30)

9127 Winans Road  
 SS Winans Road, 270 +/-  
 of Old White Road

2nd Election District

2nd Commission

Legal Owner(s):  
 Luss E. George and Mary H. Mitchell

Special Exception for a dental office within a residential zoning

Hearing Tuesday, September 3, 1996 at 10:00 a.m. in Room 718, Old Courthouse.

LAWRENCE E. SCHMIDT  
 Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible for special accommodations  
 Please Call 887-3353.

(2) For information concerning the fee and/or hearing, Please Call 887-3351.

8/1/96 August 8 C72912



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

\_\_\_\_\_  
ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 30 Petitioner: PATRICIA E. LEWIS, D.D.S.

Location: 9127 WINANDS ROAD

PLEASE FORWARD ADVERTISING BILL TO:

NAME: PATRICIA E. LEWIS, D.D.S.

ADDRESS: 9127 WINANDS ROAD

OWINGS MILLS, MD. 21133

PHONE NUMBER: (410) 355-6811



# Plat to accompany Petition for Zoning ☐ Variance ☐ Special Hearing

PROPERTY ADDRESS: \_\_\_\_\_

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: \_\_\_\_\_

plat book # \_\_\_\_\_, folio # \_\_\_\_\_, lot # \_\_\_\_\_, section # \_\_\_\_\_

OWNER: \_\_\_\_\_



North

date: \_\_\_\_\_  
prepared by: \_\_\_\_\_

Scale of Drawing: 1" = \_\_\_\_\_



Vicinity Map  
Scale: 1"=1000'

## LOCATION INFORMATION

Election District: \_\_\_\_\_

Councilmanic District: \_\_\_\_\_

1"=200' scale map#: \_\_\_\_\_

Zoning: \_\_\_\_\_

Lot size: \_\_\_\_\_  
acres      square feet

public      private  
SEWER: ☐ ☐

WATER: ☐ ☐

yes      no  
Chesapeake Bay Critical Area: ☐ ☐

Prior Zoning Hearings: \_\_\_\_\_

## Zoning Office USE ONLY!

reviewed by: \_\_\_\_\_ ITEM #: \_\_\_\_\_ CASE#: \_\_\_\_\_

# CERTIFICATE OF POSTING

RE: Case No.: 07-34X

Petitioner/Developer: \_\_\_\_\_

Lois & Gary Mitchell

Date of Hearing/Closing: \_\_\_\_\_

Baltimore County Department of  
Permits and Development Management  
County Office Building, Room 111  
111 West Chesapeake Avenue  
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law  
were posted conspicuously on the property located at \_\_\_\_\_

The sign(s) were posted on \_\_\_\_\_

10 - 21 - 96

( Month, Day, Year)

Sincerely,

(Signature of Sign Poster and Date)

MARK CAWELL  
(Printed Name)

(Address)

Baltimore County  
(City, State, Zip Code)

(Telephone Number)

1/21/97  
T/C FROM NEIGHBOR  
- "SIGN IS GONE"  
1/23/97 T/C TO INSPECTOR  
He will REPOST ASAP!  
on

# CERTIFICATE OF POSTING

RE: Case No.: 97-34-X

Petitioner/Developer: \_\_\_\_\_

Date of Hearing/Closing: \_\_\_\_\_

Baltimore County Department of  
Permits and Development Management  
County Office Building, Room 111  
111 West Chesapeake Avenue  
Towson, MD 21204

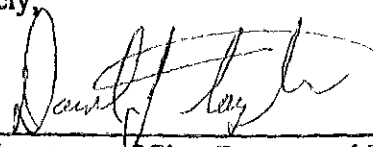
Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law  
were posted conspicuously on the property located at 9127 WINDANOS RD

The sign(s) were posted on 1 - 24 - 97 (REPOSTED)  
(Month, Day, Year)

Sincerely,



(Signature of Sign Poster and Date)

DAVID J. TAYLOR

(Printed Name)

3351 FLICKINGER RD

(Address)

WESTMINSTER, ~~MD~~ MD. 21158

(City, State, Zip Code)

410-848-6620

(Telephone Number)

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

026008

DATE 10/15/96 ACCOUNT R-001-6150

AMOUNT \$ 285.00

RECEIVED FROM: Francis X. Bergerding, Jr.

FOR: Appeal # 97-34-X

01A00W0138MICHR  
BA COLL 19AM10-15-96  
VALIDATION OR SIGNATURE OF CASHIER

\$285.00

Rye

DISTRIBUTION  
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

026008

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VALIDATION OR SIGNATURE OF CASHIER

\$285.00

Rye

MICROFILMED  
DISTRIBUTION  
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

TO: PUTUXENT PUBLISHING COMPANY  
August 8, 1996 Issue - Jeffersonian

Please forward billing to:

Patricia E. Lewis, D.D.s.  
9127 Winands Road  
Owings Mills, Maryland 21133  
355-6811

---

#### NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204  
or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-34-X (Item 30)  
9127 Winands Road  
S/S Winands Road, 270' +/- E of c/l Offutt Road  
2nd Election District - 2nd Councilmanic  
Legal Owner(s): Luis F. George and Mary H. Mitchell

Special Exception for a dental office within a residential dwelling.

HEARING: TUESDAY, SEPTEMBER 3, 1996 at 10:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



HEARING

Court F

Other:

Chil Su  
Kyong H  
PUTTY H  
t/a Put  
7938 Be  
Baltimo  
DISTRIC



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

August 2, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in  
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204  
or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

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Legal Owner(s): Luis F. George and Mary H. Mitchell

Special Exception for a dental office within a residential dwelling.

HEARING: TUESDAY, SEPTEMBER 3, 1996 at 10:00 a.m. in Room 118, Old Courthouse.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon  
Director

cc: Luis F. George and Mary H. Mitchell  
J. Kevin Wight  
Patricia E. Lewis, D.D.S.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.





County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49  
400 WASHINGTON AVENUE  
TOWSON, MARYLAND 21204  
(410) 887-3180

Hearing Room - Room 48  
Old Courthouse, 400 Washington Avenue

December 13, 1996

NOTICE OF ASSIGNMENT

CASE #: 97-34-X

IN MATTER OF: LUIS F. GEORGE AND MARY H. MITCHELL -  
Legal Owners; and PATRICIA E. LEWIS, D.D.S. -  
Contract Lessee 9127 Winands Road  
Randallstown, MD 21117  
2nd Election District; 2nd Councilmanic  
(Petition for Special Exception DENIED.)

ASSIGNED FOR: THURSDAY, MARCH 13, 1997 at 10:00 a.m.

NOTICE: This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c). For further information, see Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code.

Kathleen C. Bianco  
Legal Administrator

cc: Counsel for Appellants /Petitioners: Francis X. Borgerding, Jr., Esq.  
Appellants /Petitioners : Patricia E. Lewis, D.D.S.  
Luis F. George and Mary H. Mitchell  
J. Kevin Wight /Hicks Engineering Co.

Counsel for Protestants : J. Carroll Holzer, Esquire  
Protestants : Andrei Stewart, President  
Sunset Ridge Community Assn.

Dr. Paul Dubansky

People's Counsel for Baltimore County  
Pat Keller  
Lawrence E. Schmidt

Arnold Jablon, Director /PDM  
Virginia W. Barnhart, Co Atty





Case No. 97-34-X

Luis F. George and Mary H. Mitchell - Legal Owners  
Patricia F. Lewis, D.D.S. - Contract Lessee

S/s Winands Road, 270' E of the c/l of Offut Road  
(9127 Winands Road)

2nd Election District

Appealed: 10/10/96

(see attached copy of  
vicinity map)



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

August 29, 1996

Mr. and Mrs. Luis George  
9127 Winands Road  
Owings Mills, MD 21133

RE: Item No.: 30  
Case No.: 97-34-X  
Petitioner: Luis George, et ux

Dear Mr. and Mrs. George:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on July 23, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, reading "W. Carl Richards, Jr." The signature is written in a cursive style with a large, stylized "J" at the end.

W. Carl Richards, Jr.  
Zoning Supervisor

WCR/re  
Attachment(s)



## INTEROFFICE CORRESPONDENCE

ZONE21B

Copy of comment forwarded to Commissioner. J-L.  
8/28/96

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM

DATE: August 28, 1996

FROM: Arnold F. "Pat" Keller, III, Director, OP

SUBJECT: 9127 Winands Road

INFORMATION:

Item Number: 30

Petitioner: George Property

Property Size:

Zoning: DR 3.5

Requested Action:

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

The site is located in a Master Plan designated "Community Conservation" area. The Master Plan states, "Proposals encouraging extra traffic harmful to the neighborhood should be avoided."

It is the opinion of this office that a special exception for an office use would be highly undesirable at this particular location. The subject site is well into the neighborhood, and such a use would potentially be detrimental to the health, safety and welfare of the community.

Special exception office uses impact neighborhoods, bringing in more traffic and extensive parking areas which result in a character more suited to a business community than to a residential community. Therefore, the Office of Planning recommends denial of the applicant's request.

Prepared by:

Division Chief:

AFK/JL/lw  
ITEM30/PZONE/ZAC1

Baltimore County Government  
Fire Department



700 East Joppa Road  
Towson, MD 21286-5500

Office of the Fire Marshal  
(410) 887-4880

DATE: 08/07/96

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF AUGUST 05, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 26, 27, 28, 29, 30, 31, 32, 34,  
35, 36, 37, 38, 39 AND 41.

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



Printed with Soybean Ink  
on Recycled Paper



# BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

TOWSON, MARYLAND 21204

*[Signature]*  
DIRECTOR

## PLUMBING PERMIT

*[Signature]*  
BUILDINGS ENGINEER

PERMIT #: P280036 CONTROL #: 280036 DIST: 11 PREC: 00  
BUILDING PERMIT #: TAX ACCT #: 1116003000 DATE ISSUED: 08/08/96  
SEWAGE DISPOSAL: METRO RECEIPT #: A309852  
TYPE OF BUILDING: SFD OLD OR NEW (O OR N): OLD

### APPLICANT INFORMATION

NAME: ROBERT H RUETER  
COMPANY: STATE MECHANICAL CONTRACTOR  
ADDR1: 6401 HARFORD RD  
ADDR2: 21214  
PHONE #: 426 8800 LICENSE #: MP649

### OWNERS INFORMATION

NAME: ROBERTSON, ROBERT  
ADDR:

LOCATION OF PROPERTY: 5417 FORGE RD  
SUBDIVISION: FORGE ACRES  
LOT #: BLOCK: SECTION:  
TOWN OR VICINITY: PERRY HALL NO. OF GAS METERS:

| GAS PERMIT: | RANGE: | WATER<br>HEATER<br>BTU | FURNACE<br>BTU | OTHERS<br>BTU | SIZE OF<br>PIPE |
|-------------|--------|------------------------|----------------|---------------|-----------------|
|-------------|--------|------------------------|----------------|---------------|-----------------|

CAUTION: PLASTIC WATER SERVICE LINES WILL REQUIRE A REVIEW OF THE ELECTRICAL SYSTEM TO ASSURE PROPER GROUND. CONTACT AN ELECTRICAL CONTRACTOR.

| CHECK<br>HERE | WORK BEING PERFORMED      | NO. OF<br>FIXTURES | CHARGES |
|---------------|---------------------------|--------------------|---------|
| X             | CONNECT EXIST. FIXTURES   | 000                | 15.00   |
| X             | SEWER HOUSE CONNECTION    |                    | 17.00   |
| X             | SEWER SRVC. CHG. PRORATED |                    | 165.00  |
|               | TOTALS                    |                    | 197.00  |

| NUMBER OF FIXTURES |     |     |     | TYPE OF FIXTURES | NO. | @    | TOTAL  |
|--------------------|-----|-----|-----|------------------|-----|------|--------|
| EX                 | NEW | REC | REM |                  |     |      |        |
| 002                | 000 | 000 | 000 | BATHTUB/RM GROUP | 002 | 6.00 | 12.00  |
| 001                | 000 | 000 | 000 | KITCHEN SINK     | 001 | 2.00 | 2.00   |
| 001                | 000 | 000 | 000 | LAUNDRY TRAY     | 001 | 2.00 | 2.00   |
| 008                | 000 | 000 | 000 | TOTALS           | 000 | 2.00 | 16.000 |

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

TO: PDM

DATE: Aug 8, 96

FROM: R. Bruce Seeley  
Permits and Development Review  
DEPRM

SUBJECT: Zoning Advisory Committee

Meeting Date: Aug 5, 96

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 26  
27  
29  
30  
31  
32  
34  
36  
37  
40  
41  
42

RBS:sp

BRUCE2/DEPRM/TXTSBP





# BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

TOWSON, MARYLAND 21204

*[Signature]*  
DIRECTOR

*[Signature]*  
BUILDINGS ENGINEER



**Maryland Department of Transportation**  
**State Highway Administration**

David L. Winstead  
Secretary  
Hal Kassoff  
Administrator

8-5-96

Ms. Joyce Watson  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

RE: Baltimore County  
Item No. 030(JRF)

Dear Ms. Watson:

This office has reviewed the referenced plan and we have no objection to approval as the development does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions. Thank you for the opportunity to review this plan.

Very truly yours,

*for* *Bob Small*  
Ronald Burns, Chief  
Engineering Access Permits  
Division

BS

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21202-0717

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

97-34-X  
mes. 9/3/96

TO: Arnold Jablon, Director, PDM

DATE: August 28, 1996

FROM: Arnold F. "Pat" Keller, III, Director, OP

SUBJECT: 9127 Winands Road

INFORMATION:

Item Number: 30

Petitioner: George Property

Property Size:

Zoning: DR 3.5

Requested Action:

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

The site is located in a Master Plan designated "Community Conservation" area. The Master Plan states, "Proposals encouraging extra traffic harmful to the neighborhood should be avoided."

It is the opinion of this office that a special exception for an office use would be highly undesirable at this particular location. The subject site is well into the neighborhood, and such a use would potentially be detrimental to the health, safety and welfare of the community.

Special exception office uses impact neighborhoods, bringing in more traffic and extensive parking areas which result in a character more suited to a business community than to a residential community. Therefore, the Office of Planning recommends denial of the applicant's request.

Prepared by:

*Jeffrey W. Long*

Division Chief:

*Dan L. Kern*

AFK/JL/lw

ITEM30/PZONE/ZAC1



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

October 15, 1996

Mr. J. Kevin Wight  
Hicks Engineering Company  
200 E. Joppa Road, Suite 402  
Towson, MD 21286

RE: Petition for Special  
Exception  
S/S Winands Road, 270' E  
of the c/l of Offut Road  
(9127 Winands Road)  
2nd Election District  
2nd Councilmanic District  
Luis F. George and Mary  
H. Mitchell - Legal Owners  
Patricia E. Lewis, D.D.S.  
- Contract Lessee  
Case No. 97-34-X

Dear Mr. Wight:

Please be advised that an appeal of the above-referenced case was filed in this office on October 10, 1996 by Francis X. Borgerding, Jr., Esquire on behalf of Patricia E. Lewis, D.D.S., Luis R. George and Mary H. Mitchell. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you have any questions concerning this matter, please do not hesitate to call 887-3180.

Sincerely,

A handwritten signature in black ink, appearing to read "Arnold Jablon".

ARNOLD JABLON  
Director

AJ:rye

c: Mr. Andrei Stewart  
People's Counsel



APPEAL

Petition for Special Exception  
S/S Winands Road, 270' E of the c/l of Offutt Road  
(9127 Winands Road)  
2nd Election District - 2nd Councilmanic District  
Luis F. George and Mary H. Mitchell - Legal Owners  
Patricia E. Lewis, D.D.S. - Contract Lessee  
Case No. 97-34-X

✓ Petition for Special Exception

✓ Description of Property

✓ Certificate of Posting

✓ Certificate of Publication

✓ Entry of Appearance of People's Counsel

Zoning Advisory Committee Comments

Petitioners' Exhibit: ✓ 1 - Plan to Accompany Petition for Special  
Exception

Protestants' Exhibits: ✓ 1 - Petition with Forty-six Signatures  
✓ 2 - Neighborhood Map  
✓ 3 - 25 Photographs

✓ Four Photographs not Marked as Exhibits

✓ Deputy Zoning Commissioner's Order dated September 11, 1996 (Denied)

✓ Notice of Appeal received on October 10, 1996 from Francis X.  
Borgerding, Jr., Esquire on behalf of Patricia E. Lewis, Luis F. George  
and Mary H. Mitchell

c/s Francis X. Borgerding, Jr., Esquire, Mercantile Building, Suite  
600, 409 Washington Avenue, Towson, MD 21204  
Patricia E. Lewis, D.D.S., Mr. Luis F. George and Ms. Mary H.  
Mitchell, 9127 Winands Rd., Owings Mills, MD 21133  
Mr. J. Kevin Wight, Hicks Engineering Company, 200 E. Joppa Road,  
Suite 402, Towson, MD 21286  
Mr. Andrei Stewart, President, Sunset Ridge Community Association,  
Inc., 3681 Offutt Road, P.O. Box 118, Randallstown, MD 21133  
People's Counsel of Baltimore County, M.S. 2010

Request Notification: Timothy Kotroco, Deputy Zoning Commissioner  
Arnold Jablon, Director of PDM

J CARROLL HOLZER ESQUIRE  
HOLZER AND LEE  
305 WASHINGTON AVENUE SUITE 502  
TOWSON MD 21204

Entered appearance 10/24/96 on  
behalf of Andrei Stewart, Pres.  
Sunset Ridge Comm. Assn., both  
individually and on behalf of the  
community association.

Dr. Paul Dubansky  
1 W. Pennsylvania Avenue  
Towson, MD 21204

APPEAL

Petition for Special Exception  
S/S Winands Road, 270' E of the c/l of Offutt Road  
(9127 Winands Road)  
2nd Election District - 2nd Councilmanic District  
Luis F. George and Mary H. Mitchell - Legal Owners  
Patricia E. Lewis, D.D.S. - Contract Lessee  
Case No. 97-34-X

Petition for Special Exception

Description of Property

Certificate of Posting

Certificate of Publication

Entry of Appearance of People's Counsel

Zoning Advisory Committee Comments

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Exception

Protestants' Exhibits: 1 - Petition with Forty-six Signatures  
2 - Neighborhood Map  
3 - 25 Photographs

Four Photographs not Marked as Exhibits

Deputy Zoning Commissioner's Order dated September 11, 1996 (Denied)

Notice of Appeal received on October 10, 1996 from Francis X.  
Borgerding, Jr., Esquire on behalf of Patricia E. Lewis, Luis F. George  
and Mary H. Mitchell

c: Francis X. Borgerding, Jr., Esquire, Mercantile Building, Suite  
600, 409 Washington Avenue, Towson, MD 21204  
Patricia E. Lewis, D.D.S., Mr. Luis F. George and Ms. Mary H.  
Mitchell, 9127 Winands Rd., Owings Mills, MD 21133  
Mr. J. Kevin Wight, Hicks Engineering Company, 200 E. Joppa Road,  
Suite 402, Towson, MD 21286  
Mr. Andrei Stewart, President, Sunset Ridge Community Association,  
Inc., 3681 Offutt Road, P.O. Box 118, Randallstown, MD 21133  
People's Counsel of Baltimore County, M.S. 2010

Request Notification: Timothy Kotroco, Deputy Zoning Commissioner  
Arnold Jablon, Director of PDM

Case No. 97-34-X

SE -To permit dental office within a residential dwelling.

9/11/96 -Deputy Zoning Commissioner's Order in which Petition for Special Exception was DENIED.

---

10/24/96 -Entry of Appearance filed by J. Carroll Holzer, Esquire, on behalf of Andrei Stewart, President, Sunset Ridge Community Association, both individually on behalf of Mr. Stewart and on behalf of the Sunset Ridge Comm. Assn.

---

12/13/96 -Notice of Assignment for hearing scheduled for Thursday, March 13, 1997 at 10:00 a.m. sent to following:

Counsel for Appellants /Petitioners: Francis X. Borgerding, Jr., Esq.  
Appellants /Petitioners : Patricia E. Lewis, D.D.S.  
Luis F. George and Mary H. Mitchell

J. Kevin Wight /Hicks Engineering Co.

Counsel for Protestants : J. Carroll Holzer, Esquire

Protestants : Andrei Stewart, President  
Sunset Ridge Community Assn.

Dr. Paul Dubansky

People's Counsel for Baltimore County

Pat Keller

Lawrence E. Schmidt

Arnold Jablon, Director /PDM

Virginia W. Barnhart, Co Atty

---

3/05/97 -Request for dismissal of appeal filed by F. Borgerding, Counsel for Appellants /Petitioners. Order of Dismissal to be issued by CBA.

---



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49  
400 WASHINGTON AVENUE  
TOWSON, MARYLAND 21204  
(410) 887-3180

November 1, 1996

Dr. Paul Dubansky  
1 W. Pennsylvania Avenue  
Towson, MD 21204

RE: Case No. 97-34-X

Luis F. George and Mary H. Mitchell  
/Legal Owners; Patricia E. Lewis, DDS  
/Contract Lessee -- Petitioners

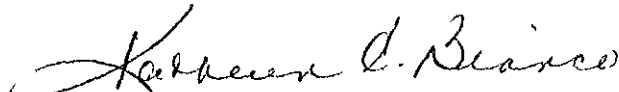
Dear Dr. Dubansky:

In response to your telephone request, enclosed are copies of the following: (1) the Deputy Zoning Commissioner's Order of September 11, 1996 in which the subject Petition for Special Exception was denied; (2) the letter of appeal from Francis X. Borgerding, Jr., Esquire, filed on behalf of Petitioners; and (3) a letter of notification from Arnold Jablon, Director /PDM, advising that an appeal has been filed.

A hearing date has not yet been scheduled; however, that date should be some time early in 1997. I've noted the file with your name and address, and you will receive a copy of the Notice of Assignment when the hearing date has been set.

Should you have any further questions, please call me.

Very truly yours,

  
Kathleen C. Bianco  
Legal Administrator

Enclosures



IN THE MATTER OF

\*

BEFORE THE

Luis F. George and Mary H. Mitchell

\*

COUNTY BOARD OF APPEALS

and Patricia E. Lewis, D.D.S.

\*

BALTIMORE COUNTY

9127 Winands Road, Randallstown

\*

CASE NO. 97-34-X

\* \* \* \* \*

SUBPOENA

Please issue a Subpoena to the following named witness to appear before the County Board of Appeals of Baltimore County at the hearing for the matter captioned above on Thursday, March 13, 1997 at 10:00a.m. at Room 48, located at the Old Courthouse, 400 Washington Avenue and continuing thereafter as necessary for such witness' testimony and as scheduled by the Board.

Witness: Jeff Long

Address: Planning Office, County Courts Building, Towson

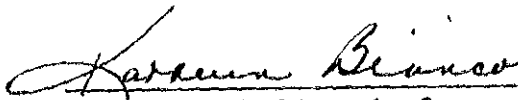
Name: J. Carroll Holzer

Firm: Holzer and Lee

Address: 305 Washington Avenue, Suite 502,  
Towson, Maryland 21204

825-6961

The witness named above is hereby ordered to so appear before the County Board of Appeals. The Board requests the Sheriff to issue the summons set forth herein.

  
County Board of Appeals of  
Baltimore County

Cost: \$ \_\_\_\_\_

Summoned: \_\_\_\_\_, 19\_\_\_\_

Not Served: \_\_\_\_\_, 19\_\_\_\_

Sheriff of Baltimore County

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: November 18, 1997  
Permits & Development Management

FROM: Charlotte E. Radcliffe  
County Board of Appeals

SUBJECT: Closed File: Case No. 97-34-X  
LUIS F. GEORGE AND MARY H. MITCHELL, L.O.  
and PATRICIA E. LEWIS, DDS -C.L.  
2nd E; 2nd C

As no further appeals have been taken in the above captioned case, which was dismissed by Order dated March 12, 1997, we are hereby closing the file and returning same to you herewith.

Attachment (Case File No. 97-34-X)

96-5900

10/8/96  
To SW  
To: P.S.  
10/10 W

**FRANCIS X. BORGERDING, JR.**

*Attorney at Law*

MERCANTILE BUILDING - SUITE 600  
409 WASHINGTON AVENUE  
TOWSON, MARYLAND 21204  
(410) 296-6820  
FAX (410) 296-6884

*Member of Maryland and  
District of Columbia Bar*

October 8, 1996

Arnold Jablon, Director  
Baltimore County Office of  
Permits & Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

RE: Case No.: 97-34-X  
Petition for Special Exception for  
Property known as 9127 Winands Road  
Randallstown, MD 21117  
Petitioners: Luis F. George and Mary H.  
Mitchell, Legal Owners and  
Patricia E. Lewis, D.D.S.,  
Contract Lessee

Dear Mr. Jablon:

Enclosed please find a Notice of Appeal to be filed in the above-referenced case on behalf of my clients, Patricia E. Lewis, D.D.S., Contract Lessee, and Luis F. George and Mary H. Mitchell, legal owners, of the above-referenced property. Please also find a check in the amount of \$285.00 made payable to Baltimore County, Maryland, to cover the cost of the appeal.

If you have any questions in relation to the above, please feel free to contact me.

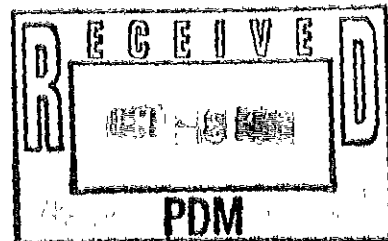
Very truly yours,

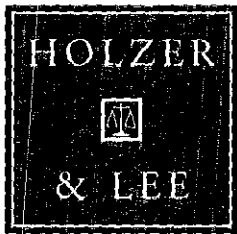
  
FRANCIS X. BORGERDING, JR.

FXBJr:bjk

Enclosure

cc: Patricia E. Lewis, D.D.S.  
Luis F. George and Mary H. Mitchell





LAW OFFICES

J. CARROLL HOLZER, PA  
THOMAS J. LEE

J. HOWARD HOLZER  
1907-1989

TOWSON OFFICE  
305 WASHINGTON AVENUE  
SUITE 502  
TOWSON, MD 21204  
(410) 825-6961  
FAX: (410) 825-4923

CARROLL COUNTY OFFICE  
1315 LIBERTY ROAD  
ELDERSBURG, MD 21784  
(410) 795-8556  
FAX: (410) 795-5535

October 24, 1996  
#6978

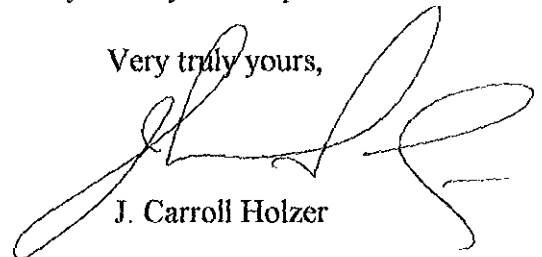
Robert Schuetz, Chairman  
Baltimore County Board of Appeals  
Old Courts Building  
Towson, Maryland 21204

Re: *Case No.: 97-34-X*  
*Petition for Special Exception*  
*for 9127 Winands Road*

Dear Mr. Schuetz:

Please enter my appearance representing the Protestants in the above captioned matter and advise me of the hearing date when it is scheduled by the Board. Thank you for your cooperation.

Very truly yours,



J. Carroll Holzer

JCH:alt

cc: Frances X. Borgerding, Jr.

C:\WP\DOC\SCHUETZ\LTR

# PROTESTANTS EXHIBIT NO. 1

Sunset Ridge Community Association  
3681 Offutt Road P.O. Box 118  
Randallstown, MD 21133

August 30, 1996

Be it known that on this date, August 30, 1996, The Sunset Ridge Community Association is petitioning the Baltimore County Zoning Board to not grant approval for the opening of the Dental Office of Dr. Patricia Vanstory-Lewis which will be located at 9127 Winands Road Owings Mills, MD 21117.

| Name                   | Address  | Signature              |
|------------------------|--|------------------------|
| ANDREI L. STEWART      | 9 SUNRISE COURT<br>RANDALLSTOWN, MD 21133      | Andrei L. Stewart      |
| Vera Bethune - Stewart | 9 Sunrise Court<br>Randallstown, MD 21133      | Vera Bethune - Stewart |
| DARRELL HAMILTON       | 22 SUNRISE CT<br>Randallstown, MD 21133        | Darrell Hamilton       |
| JEANNE ANGIOLINA       | 9129 Sunset Ridge Rd<br>Randallstown, MD 21133 | Jeanne Angiolina       |
| Vincent Angiolina      | 9129 Sunset Ridge Rd<br>Randallstown, MD 21133 | Vincent Angiolina      |
| GRACIE MOORE-GREENE    | 9125 Sunset Ridge Rd<br>Randallstown, MD 21133 | Gracie Moore - Greene  |
| Paul A. Greene         | 9125 Sunset Ridge Rd<br>Randallstown, MD 21133 | Paul A. Greene         |
| John J. Fitzsimmons    | 911 Sunset Ridge Rd<br>Randallstown, MD 21133  | John J. Fitzsimmons    |
| Becky B. Fitzsimmons   | 911 Sunset Ridge Rd<br>Randallstown, MD 21133  | Becky B. Fitzsimmons   |
| Eric Hankins           | 9125 Sunset Ridge Rd<br>Randallstown, MD 21133 | Eric Hankins           |
| Michael Carr           | 9130 Sunset Ridge Rd<br>Randallstown, MD 21133 | Michael Carr           |
| Wanda Latimore         | 9137 Sunset Ridge Rd<br>Randallstown, MD 21133 | Wanda Latimore         |
| Michael Latimore       | " " "  | Michael Latimore       |
| William Dent           | 10 Sunrise Ct. Randallstown<br>MD 21133        | William Dent           |
| Lawrence White         | 16 Sunrise Ct                                  | Lawrence R. White      |
| Philip Sample          | 18 Sunrise Ct                                  | Philip Sample          |
| Joanne Witherspoon     | 9103 Sunset Ridge Rd<br>Randallstown, MD 21133 | Joanne Witherspoon     |
| Paulette Witherspoon   | 9103 Sunset Ridge Rd<br>Randallstown, MD 21133 | Paulette Witherspoon   |
| Gracie Doris Grays     | 23 Sunrise Ct<br>Randallstown, MD 21133        | Gracie Doris Grays     |
| RAY SZYMANSKI          | 3 SUNRISE CT                                   | Ray Szymanski          |

**Sunset Ridge Community Association  
3681 Offutt Road P.O. Box 118  
Randallstown, MD 21133**

August 30, 1996

Be it known that on this date, August 30, 1996, The Sunset Ridge Community Association is petitioning the Baltimore County Zoning Board to not grant approval for the opening of the Dental Office of Dr. Patricia Vanstory-Lewis which will be located at 9127 Winands Road Owings Mills, MD 21117.

| Name               | Address              | Signature            |
|--------------------|----------------------|----------------------|
| Julius MASON       | 9117 Sunset Ridge Rd | Julius Mason         |
| Linda MASON        | 9117 Sunset Ridge Rd | Linda Mason          |
| James Johnson      | 9115 Sunset Ridge Rd | James Johnson        |
| Robyn Washington   | 9119 Sunset Ridge Rd | Robyn Washington     |
| Michael Washington | 9119 Sunset Ridge Rd | Michael Washington   |
| Jimmie H. JOHNSON  | 9121 Sunset Ridge Rd | Jimmie H. Johnson    |
| Royce M. JOHNSON   | 9121 Sunset Ridge Rd | Royce M. Johnson     |
| Charles Byrd       | 9113 Sunset Ridge Rd | Charles Byrd         |
| GLORIA G. MASON    | 9109 Sunset Ridge Rd | Gloria G. Mason      |
| RAYMOND GRIFFITH   | 9101 Sunset Ridge Rd | Raymond Griffith     |
| WALLACE CHRISTIAN  | 9100 Sunset Ridge Rd | Wallace Christian    |
| Ed. TILLERY        | 9122 Sunset Ridge Rd | Edward Tillery       |
| Leon R. Henderson  | 9135 Sunset Ridge Rd | Leon Henderson       |
| Unette L. Jarris   | 9141 Sunset Ridge Rd | Unette L. Jarris     |
| Deborah Blackwell  | 9143 Sunset Ridge Rd | Deborah A. Blackwell |
| Joey Blackwell     | 9143 Sunset Ridge Rd | Joey Blackwell       |
| Mary Dannon        | 4013 Offutt Rd       | Mary Dannon          |
| Ernest E. Dannon   | 4013 Offutt Rd       | Ernest E. Dannon     |
| Dudley Wynn        | 21 Sunrise Ct        | Dudley Wynn          |
| Curley Jones       | 25 Sunrise Ct        | Curley Jones         |

**August 30, 1996**

**Be it known that on this date, August 30, 1996, The Sunset Ridge Community Association is petitioning the Baltimore County Zoning Board to not grant approval for the opening of the Dental Office of Dr. Patricia Vanstory-Lewis which will be located at 9127 Winands Road Owings Mills, MD 21117.**

[illegible]

photographs

Case 97-34-SPX

A-D



## SUNSET RIDGE DEVELOPMENT



'B'

9127 WINANDS ROAD

6/13/96 KW

PROP. LOCATION OF DENTAL OFFICE



'C'

9127 WINANDS ROAD

6/13/96 KW

(D) WENTRANCE @ WINANDS ROAD



'A'

9127 WINANDS ROAD

6/13/96 KW



'D'

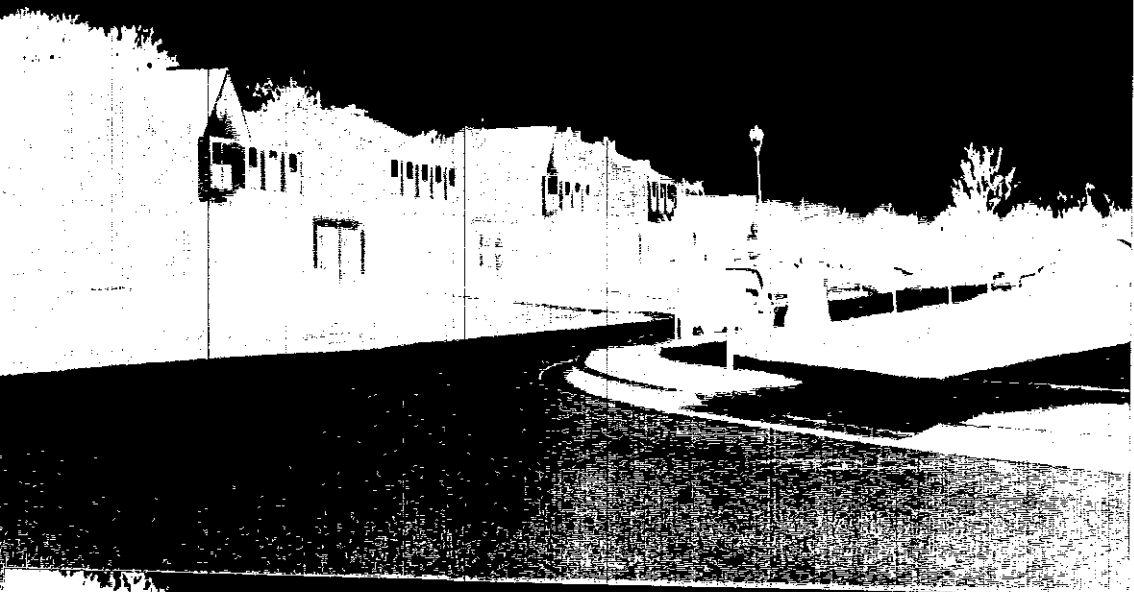
9127 WINANDS ROAD

6/13/96 KW



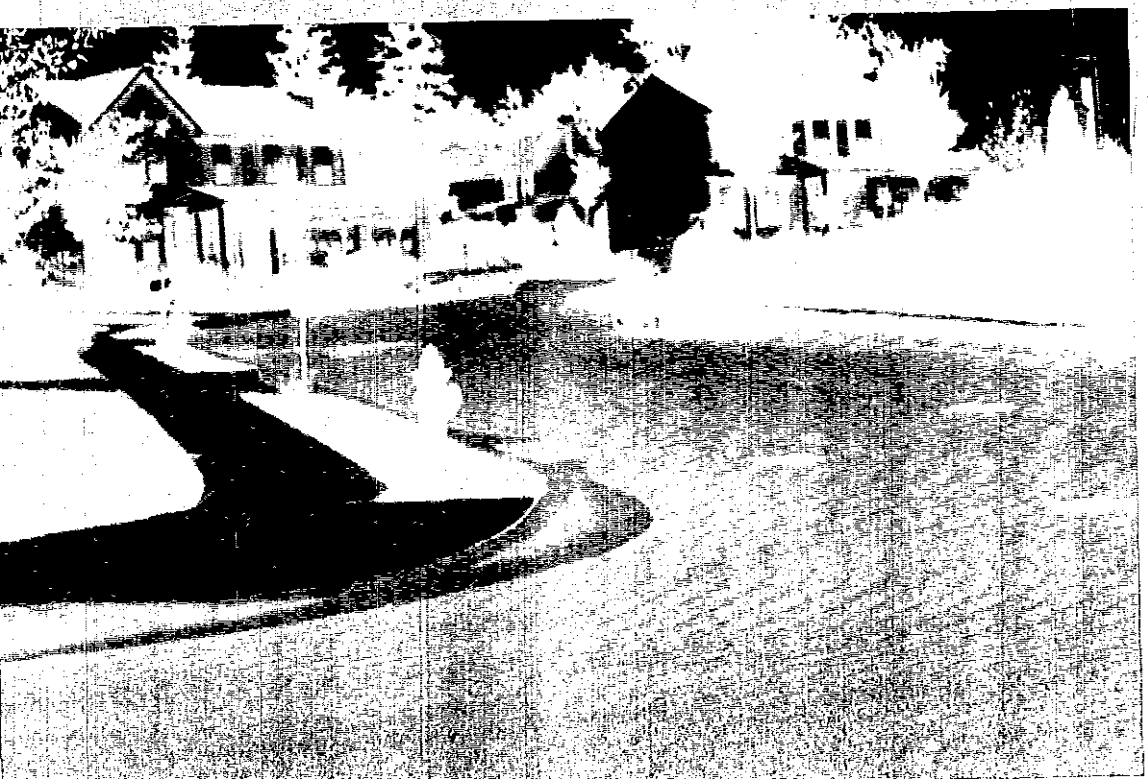










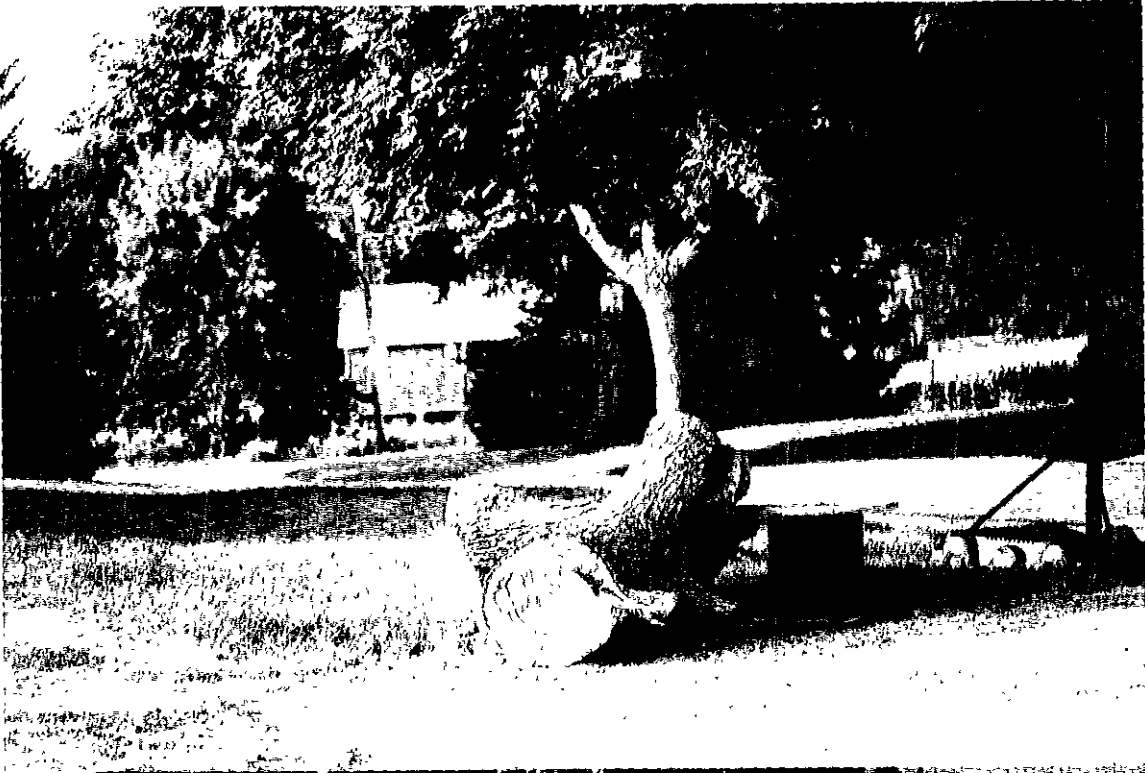












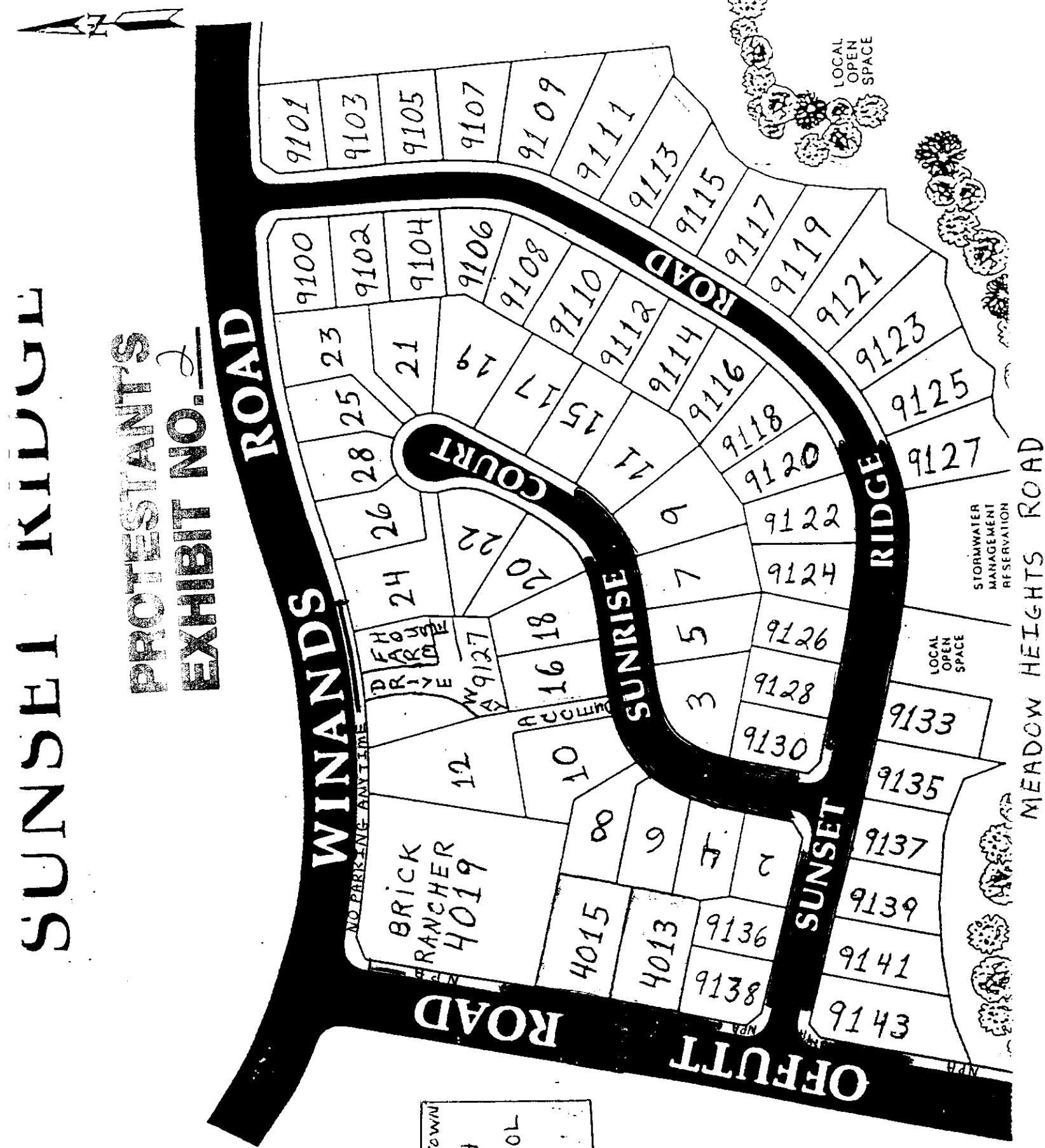




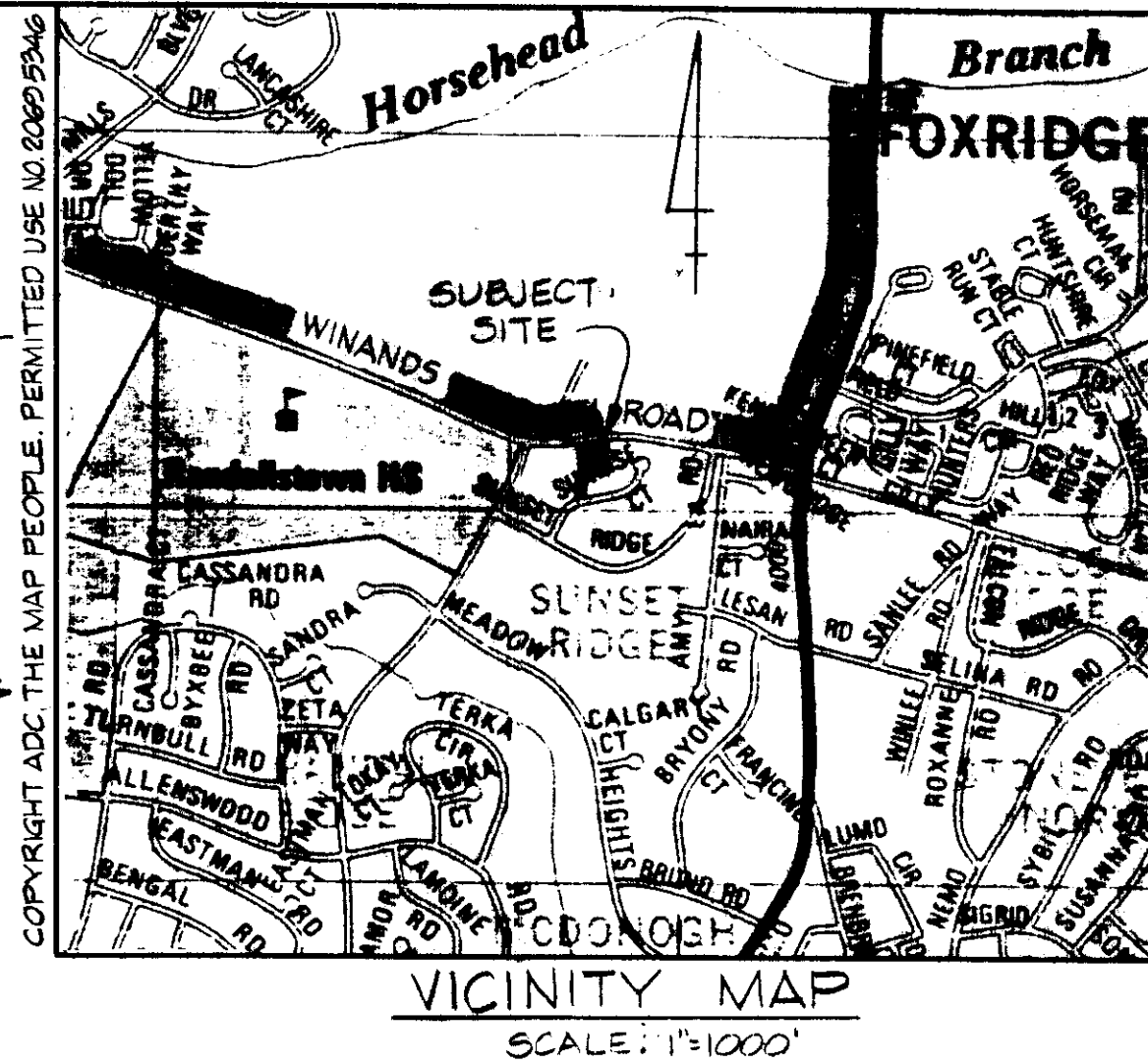
PROTESTANTS  
EXHIBIT NO. 2

DEER PARK  
MIDDLE  
SCHOOL

SCHOOL HIGH NUNDALESTOWN







1. DEED REFERENCE: LIBER 10990, FOLIO 136
2. PLAT REFERENCE: PLAT TWO  
"SUNSET RIDGE"  
PLAT BOOK S.M. 63, FOLIO 136  
(LOT 65)
3. EXISTING ZONING: DR 3.5 (ENTIRE LOT & SURROUNDING AREA) ZONING MAP NW 3-I
4. REASON FOR REQUEST FOR SPECIAL EXCEPTION:  
TO OBTAIN PERMISSION TO CONVERT A PORTION  
OF THE EXISTING DWELLING IN A RESIDENTIAL  
ZONE FOR USE AS A DENTAL OFFICE.
5. FLOOR AREA OF EXISTING DWELLING (NOT INCLUDING GARAGE): 3,300 SQ. FT. I
6. FLOOR AREA OF PROPOSED DENTAL OFFICE:  
14' x 20' = 280 SQ. FT.  
(APPROXIMATELY 8.5% OF TOTAL FLOOR AREA)
7. PARKING REQUIRED:  
SINGLE FAMILY RESIDENCE - 2 SPACES  
DENTAL OFFICE - 4.5 SPACES PER 1,000 SQ. FT.  
OF FLOOR AREA = 2 SPACES  
TOTAL SPACES REQUIRED - 4 SPACES
8. PARKING SPACES PROVIDED:  
4 SPACES (MORE AVAILABLE)

97-34-X

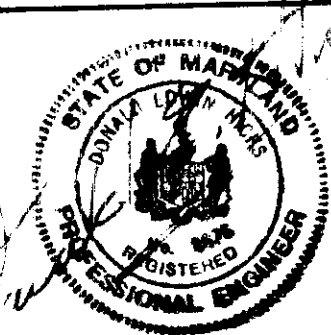
# 30

**PETITIONER'S  
EXHIBIT**

PLAN TO ACCOMPANY PETITION  
FOR SPECIAL EXCEPTION FOR  
9127 WINANDS ROAD

ELECTION DISTRICT 202  
SCALE: 1"=20

BALTIMORE CO.,MD.  
DATE: JUNE 12, 1996



**H** **HICKS ENGINEERING CO., INC.**  
ENGINEERS, SURVEYORS & PLANNERS  
200 EAST JOPPA ROAD -- SUITE 402  
TOWSON, MARYLAND 21286

LESSEE  
PATRICA E. LEWIS  
0127 WINANDS ROAD  
RANDALLSTOWN, MD.  
21133

OWNER  
LUIRE & MARY MITCHELL  
9121 ANDS ROAD  
RADETOWN, MD. 21133



IN THE MATTER OF  
THE APPLICATION OF  
LUIS F. GEORGE AND MARY H.  
MITCHELL, LEGAL OWNERS; AND  
PATRICIA E. LEWIS, DDS -  
CONTRACT LESSEE / PETITIONERS  
FOR A SPECIAL EXCEPTION ON  
PROPERTY LOCATED ON THE SOUTH  
SIDE WINANDS ROAD, 270' EAST  
OF OFFUTT RD (9127 OFFUTT RD)  
2ND ELECTION DISTRICT  
2ND COUNCILMANIC DISTRICT

ORDER OF DISMISSAL

This matter comes to this Board on appeal from a decision of the Deputy Zoning Commissioner dated September 11, 1996 in which the Petition for Special Exception was denied.

WHEREAS, the Board is in receipt of a letter of dismissal filed by Francis X. Borgerding, Jr., Esquire, Counsel for Appellants /Petitioners, dated March 5, 1997 (a copy of which is attached hereto and made a part hereof); and

WHEREAS, said Counsel for Appellants requests that the appeal filed in this matter be dismissed as of March 5, 1997;

IT IS HEREBY ORDERED this 12th day of March, 1997 by the County Board of Appeals of Baltimore County that said appeal be and the same is hereby DISMISSED.

COUNTY BOARD OF APPEALS  
OF BALTIMORE COUNTY

Kristine K. Howanski, Acting Chairman  
Harry E. Buchheister, Jr.  
Charles L. Marks

FRANCIS X. BORGERDING, JR.  
Attorney at Law  
MERCANTILE-TOWSON BLDG - SUITE 600  
409 WASHINGTON AVE.  
TOWSON, MD 21204  
OFFICE (410) 296-6820  
TELEFAX (410) 296-6884

Member of Maryland and  
District of Columbia Bars

March 5, 1997

County Board of Appeals of  
Baltimore County  
Old Court House, Room 49  
400 Washington Avenue  
Towson, Maryland 21204

RE: Case No.: 97-34-X  
In the Matter of Luis F. George and  
Mary H. Mitchell, Legal Owners; and  
Patricia E. Lewis, D.D.S., Contract Lessee  
9127 Winands Road  
Randallstown, Maryland 21117  
Second Election District; Second Councilmanic  
District

Gentlemen/Ladies:

This correspondence is being written on behalf of the Appellants/Petitioners to request a dismissal of the above-referenced appeal now set for hearing on Thursday, March 13, 1997 at 10:00 A.M.

Thank you very much for your cooperation with regard to this matter.

Very truly yours,

FRANCIS X. BORGERDING, JR.

FXBJr:bjk

cc: Patricia E. Lewis, D.D.S.  
Luis F. George and Mary H. Mitchell  
J. Carroll Holzer, Esquire



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49  
400 WASHINGTON AVENUE  
TOWSON, MARYLAND 21204  
(410) 887-3180

March 12, 1997

Francis X. Borgerding, Jr., Esquire  
DINENNA AND BRESCHI  
Suite 600  
Mercantile-Towson Building  
409 Washington Avenue  
Towson, MD 21204

RE: Case No. 97-34-X  
Patricia E. Lewis, DDS, et al

Dear Mr. Borgerding:

Enclosed please find a copy of the Order of Dismissal issued this date by the County Board of Appeals of Baltimore County in the subject matter.

Very truly yours,

Kathleen C. Bianco  
Legal Administrator

encl.

cc: Patricia E. Lewis, DDS  
Luis F. George and Mary H. Mitchell  
J. Kevin Wight /Hicks Engineering Co.  
J. Carroll Holzer, Esquire  
Andrei Stewart, President /Sunset Ridge Comm Assn  
Dr. Paul Dubansky  
People's Counsel for Baltimore County  
Pat Keller  
Lawrence E. Schmidt  
Arnold Jablon, Director /PDM  
Virginia W. Barnhart, County Attorney

IN RE: PETITION FOR SPECIAL \* BEFORE THE  
EXCEPTION S/S Winands \* DEPUTY ZONING COMMISSIONER  
Road, 270' E of the \* OF BALTIMORE COUNTY  
c/l of Offutt Road \*  
(9127 Winands Road) \*  
2nd Election District \*  
2nd Councilmanic \* Case No.: 97-34-X  
District \*  
Luis F. George and \*  
Mary H. Mitchell, \*  
Legal Owners; and \*  
Patricia E. Lewis, \*  
D.D.S., Contract \*  
Lessee \*

NOTICE OF APPEAL

Please enter an appeal to the Board of Appeals of Baltimore County, on behalf of Patricia E. Lewis, D.D.S. and Luis F. George and Mary H. Mitchell, from the September 11, 1996 decision of the Deputy Zoning Commissioner for Baltimore County in the above-captioned case.

FRANCIS X. BORGERDING, JR.  
409 Washington Avenue, Suite 600  
Towson, Maryland 21204  
(410) 296-6820  
Attorney for Patricia E. Lewis, D.D.S.  
and Luis F. George and Mary H.  
Mitchell

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 12th day of March, 1997, a copy of the foregoing was mailed, postage prepaid, to:

Mr. Andrei Stewart, President  
Sunset Ridge Community Association, Inc.  
3681 Offutt Road  
P. O. Box 118  
Randallstown, Maryland 21133

Peter Max Zimmerman, Esquire  
Room 47  
Court House  
400 Washington Avenue  
Towson, Maryland 21204

FRANCIS X. BORGERDING, JR.

IN RE: PETITION FOR SPECIAL EXCEPTION \* BEFORE THE  
S/S Winands Road, 270' E of the \* DEPUTY ZONING COMMISSIONER  
c/l of Offutt Road \* OF BALTIMORE COUNTY  
(9127 Winands Road) \*  
2nd Election District \*  
2nd Councilmanic District \* Case No. 97-34-X  
Luis F. George and Mary H. \*  
Mitchell, Legal Owners; and \*  
Patricia E. Lewis, D.D.S., Contract Lessee \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Exception for that property known as 9127 Winands Road, located in the vicinity of Offutt Road and the Sunset Ridge Community in Randallstown. The Petition was filed by the owners of the property, Luis F. George and Mary H. Mitchell, and the Contract Lessee, Patricia E. Lewis, D.D.S. The Petitioners seek a special exception to permit a dental office within a residential dwelling, in accordance with the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Luis George, owner of the property, Dr. Patricia Lewis, Contract Lessee, and Kevin White, Professional Engineer who prepared the site plan for this property. Appearing in opposition to the request was Mr. Andrei Stewart, President of the Sunset Ridge Community Association.

Testimony and evidence offered revealed that the subject property consists of 0.551 acres, more or less, zoned D.R. 3.5 and is improved with a large, two-story frame dwelling, and attached two-car garage. Dr. Lewis testified that she has been a dentist since 1981 and until two weeks ago, had operated her dental practice from a location in south Baltimore for the past 13 years. Dr. Lewis recently leased the subject property from Mr.

George and Ms. Mitchell and would like to relocate her practice to the subject site.

Appearing in opposition to the Petitioners' request was Andrei Stewart. Mr. Stewart introduced as Protestant's Exhibit 1 a Petition of Opposition which had been signed by many of the residents of the Sunset Ridge Community. He also submitted as Protestant's Exhibit 2, a map of the neighborhood and as Protestant's Exhibit 3, photographs of several of the houses within that neighborhood. Mr. Stewart testified that he and the community are opposed to Dr. Lewis establishing a dental practice at the subject location. The neighborhood is opposed to a commercial operation taking place in their residential neighborhood and the traffic and parking problems that would be generated by the proposed use. Mr. Stewart expressed their further concerns over the storage of drugs and syringes that are kept on the premises and used in conjunction with the dental practice. They are also concerned over the disposal of the medical waste generated by virtue of a dental practice.

Mr. Stewart further testified that they are experiencing problems with students who attend Randallstown High School who loiter in their neighborhood and fear that allowing a dental practice to exist in the neighborhood would give those students an excuse to loiter in that they could say they were waiting for a dental appointment. The association is strongly opposed to the granting of any special exception relief.

It should also be noted that several comments were submitted from the various Baltimore County reviewing agencies. In particular, the Office of Planning submitted a comment dated August 28, 1996 wherein they recommend denial of the special exception request. The Planning Office is opposed to the special exception in that they believe the operation of a

dental practice at the subject location would have an adverse impact on the surrounding residential community.

After reviewing all of the testimony and evidence presented by the Petitioners as well as Mr. Stewart, and in consideration of the comments submitted by the Office of Planning, I am persuaded to deny the special exception request.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. In fact, the Petitioner has not shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have an adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will be detrimental to the health, safety, or general welfare of the locality, and will tend to create congestion in roads, streets, or alleys therein. It will be inconsistent with the purposes of the property's zoning classification, and inconsistent with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, it appears that the requirements of Section 502.1 have not been met and that the health, safety, and general welfare of the community shall be adversely affected. Therefore, the relief requested in the special exception should be denied.







# CERTIFICATE OF POSTING

RE: Case No.: 97-34-X

Petitioner/Developer:

Date of Hearing/Closing:

Baltimore County Department of  
Permits and Development Management  
County Office Building, Room 111  
111 West Chesapeake Avenue  
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 9127 Winands Road

The sign(s) were posted on 1-21-97 (Reposted)  
(Month, Day, Year)

Sincerely,

*[Signature]*  
(Signature of Sign Poster and Date)

JAY J. TAYLOR  
(Printed Name)

3351 FICKINGER RD  
(Address)

WESTMINSTER, MD 21158  
(City, State, Zip Code)

410-848-6620  
(Telephone Number)

996

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

DATE 10/12/96 ACCOUNT R-001-6150

AMOUNT \$ 285.00

RECEIVED FROM Francis X. Borgerding, Jr.

FOR: Append # 97-34-X

01A0000138M1CHRC \$285.00  
PA 0011199610-15-96

VALIDATION OR SIGNATURE OF CASHIER Rye

DEBITOR: WIRE CASHIER FEE: AGENCY YELLOW: CUSTOMER

TO: POTOMAC PUBLISHING COMPANY  
August 8, 1996 Issue - Jeffersonian

Please forward billing to:  
Patricia E. Lewis, D.D.S.  
9127 Winands Road  
Owings Mills, Maryland 21133  
355-6811

## NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in:  
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204  
or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

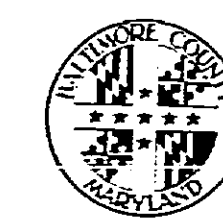
CASE NUMBER: 97-34-X (Item 30)  
9127 Winands Road  
S/S Winands Road, 270' +/- E of c/l Offutt Road  
2nd Election District - 2nd Councilmanic  
Legal Owner(s): Luis F. George and Mary H. Mitchell

Special Exception for a dental office within a residential dwelling.

HEARING: THURSDAY, SEPTEMBER 3, 1996 at 10:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

August 2, 1996

## NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in:  
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204  
or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-34-X (Item 30)  
9127 Winands Road  
S/S Winands Road, 270' +/- E of c/l Offutt Road  
2nd Election District - 2nd Councilmanic  
Legal Owner(s): Luis F. George and Mary H. Mitchell

Special Exception for a dental office within a residential dwelling.

HEARING: THURSDAY, SEPTEMBER 3, 1996 at 10:00 a.m. in Room 118, Old Courthouse.

*[Signature]*

Arnold Jablon  
Director

cc: Luis F. George and Mary H. Mitchell  
J. Kevin Wight  
Patricia E. Lewis, D.D.S.

NOTES: (1) ZONING SIGN & POST MUST BE REMOVED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Printed with Soybean Ink  
on Recycled Paper



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49  
400 WASHINGTON AVENUE  
TOWSON, MARYLAND 21204  
(410) 867-3180

Hearing Room - Room 48  
Old Courthouse, 400 Washington Avenue

December 13, 1996

## NOTICE OF ASSIGNMENT

CASE #: 97-34-X  
IN MATTER OF: LUIS F. GEORGE AND MARY H. MITCHELL -  
Legal Owners; and PATRICIA E. LEWIS, D.D.S. -  
Contract Lessee 9127 Winands Road  
Randallstown, MD 21117  
2nd Election District; 2nd Councilmanic  
(Petition for Special Exception DENIED.)

ASSIGNED FOR: THURSDAY, MARCH 13, 1997 at 10:00 a.m.

NOTICE: This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c). For further information, see Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code.

Kathleen C. Bianco  
Legal Administrator

cc: Counsel for Appellants /Petitioners: Francis X. Borgerding, Jr., Esq.  
Appellants /Petitioners: Patricia E. Lewis, D.D.S.  
Luis F. George and Mary H. Mitchell  
J. Kevin Wight /Hicks Engineering Co.

Counsel for Protestants: J. Carroll Holzer, Esquire  
Protestants: Andrei Stewart, President  
Sunset Ridge Community Assn.

Dr. Paul Dubansky

People's Counsel for Baltimore County  
Pat Keller  
Lawrence E. Schmidt  
Arnold Jablon, Director /PDM  
Virginia W. Barnhart, Co Atty



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

August 29, 1996

Mr. and Mrs. Luis George  
9127 Winands Road  
Owings Mills, MD 21133

RE: Item No.: 30  
Case No.: 97-34-X  
Petitioner: Luis George, et ux

Dear Mr. and Mrs. George:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on July 23, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

*[Signature]*  
W. Carl Richards, Jr.  
Zoning Supervisor

WCR/re  
Attachment(s)

## BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director Date: August 9, 1996  
Department of Permits & Development  
Management

FROM: Robert W. Bowling, Chief  
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting  
For August 12, 1996  
Item No. 030

The Development Plans Review Division has reviewed the subject zoning item. The parking should be buffered from the adjacent residences. An adequate on-site maneuvering area must be provided.

RWB:RJO:jrb

cc: File

ZONE21B

## BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM DATE: August 28, 1996

FROM: Arnold F. "Pat" Keller, III, Director, OP

SUBJECT: 9127 Winands Road

## INFORMATION:

Item Number: 30  
Petitioner: George Property  
Property Size:  
Zoning: BR 3.5  
Requested Action:  
Hearing Date:

## SUMMARY OF RECOMMENDATIONS:

The site is located in a Master Plan designated "Community Conservation" area. The Master Plan states, "Proposals encouraging extra traffic harmful to the neighborhood should be avoided."

It is the opinion of this office that a special exception for an office use would be highly undesirable at this particular location. The subject site is well into the neighborhood, and such a use would potentially be detrimental to the health, safety and welfare of the community.

Special exception office uses impact neighborhoods, bringing in more traffic and extensive parking areas which result in a character more suited to a business community than to a residential community. Therefore, the Office of Planning recommends denial of the applicant's request.

Prepared by: *[Signature]*  
Division Chief: *[Signature]*  
AFK/JL/14  
ITEM30/PHONE/ZAC1



Baltimore County Government  
Fire Department  
Office of the Fire Marshal  
(410) 887-4880  
DATE: 08/07/96  
Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105  
RE: Property Owner: SEE BELOW  
Location: DISTRIBUTION MEETING OF AUGUST 05, 1996.  
Item No.: SEE BELOW Zoning Agenda:  
Gentlemen:  
Pursuant to your request, the referenced property has been surveyed  
by this Bureau and the comments below are applicable and required to  
be corrected or incorporated into the final plans for the property.  
B. The Fire Marshal's Office has no comments at this time.  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 26, 27, 28, 29, 30, 31, 32, 34,  
35, 36, 37, 38, 39 AND 41.  
REVIEWER: J. T. ROBERT P. SAUERWALD  
Fire Marshal Office. PHONE 987-4881. MS-1102F  
cc: File  
Printed with Soybean Ink  
on Recycled Paper

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE  
TO: PDM DATE: 8/8/96  
FROM: R. Bruce Seeley  
Permits and Development Review  
DEPRM  
SUBJECT: Zoning Advisory Committee  
Meeting Date: 8/5/96  
The Department of Environmental Protection & Resource Management has no  
comments for the following Zoning Advisory Committee Items:  
Item #'s: 26  
27  
29  
30  
31  
32  
34  
36  
37  
40  
41  
42  
RBS:sp  
BRUCEZ/DEPRM/TXTSPB

SHA Maryland Department of Transportation  
State Highway Administration  
David L. Winstead  
Secretary  
Hal Kassoff  
Administrator  
Ms. Joyce Watson  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204  
RE: Baltimore County  
Item No. 030 (JRF)  
8-5-96  
Dear Ms. Watson:  
This office has reviewed the referenced plan and we have no  
objection to approval as the development does not access a State  
roadway and is not effected by any State Highway Administration  
projects.  
Please contact Bob Small at 410-545-5581 if you have any  
questions. Thank you for the opportunity to review this plan.  
Very truly yours,  
for Bob Small  
Ronald Burns, Chief  
Engineering Access Permits  
Division  
AS  
My telephone number is  
Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free  
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE  
TO: Arnold Jablon, Director, PDM DATE: August 28, 1996  
FROM: Arnold F. "Pat" Keller, III, Director, OP  
SUBJECT: 9127 Winands Road  
INFORMATION:  
Item Number: 30  
Petitioner: George Property  
Property Size:  
Zoning: PR 3.5  
Requested Action:  
Hearing Date:  
SUMMARY OF RECOMMENDATIONS:  
The site is located in a Master Plan designated "Community Conservation" area.  
The Master Plan states, "Proposals encouraging extra traffic harmful to the  
neighborhood should be avoided."  
It is the opinion of this office that a special exception for an office use would  
be highly undesirable at this particular location. The subject site is well into  
the neighborhood, and such a use would potentially be detrimental to the health,  
safety and welfare of the community.  
Special exception office uses impact neighborhoods, bringing in more traffic and  
extensive parking areas which result in a character more suited to a business  
community than to a residential community. Therefore, the Office of Planning  
recommends denial of the applicant's request.  
Prepared by: Jeffrey W. Long  
Division Chief: Cheryl L. Kiser  
AFK/JL/lw  
ITEM30/PZONE/ZAC1

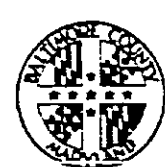
Baltimore County  
Department of Permits and  
Development Management  
October 15, 1996  
Mr. J. Kevin Wight  
Hicks Engineering Company  
200 E. Joppa Road, Suite 402  
Towson, MD 21286  
RE: Petition for Special  
Exception  
S/S Winands Road, 270' E  
of the c/l of Offutt Road  
(9127 Winands Road)  
2nd Election District  
2nd Councilmanic District  
Luis F. George and Mary  
H. Mitchell - Legal Owners  
Patricia E. Lewis, D.D.S.  
- Contract Lessee  
Case No. 97-34-X  
Dear Mr. Wight:  
Please be advised that an appeal of the above-referenced case was  
filed in this office on October 10, 1996 by Francis X. Borgerding, Jr.,  
Esquire on behalf of Patricia E. Lewis, D.D.S., Luis F. George and Mary H.  
Mitchell. All materials relative to the case have been forwarded to the  
Baltimore County Board of Appeals (Board).  
If you have any questions concerning this matter, please do not  
hesitate to call 587-3180.  
Sincerely,  
ARNOLD JABLON  
Director  
Attye  
cc: Mr. Andrei Stewart  
People's Counsel

APPEAL  
Petition for Special Exception  
S/S Winands Road, 270' E of the c/l of Offutt Road  
(9127 Winands Road)  
2nd Election District - 2nd Councilmanic District  
Luis F. George and Mary H. Mitchell - Legal Owners  
Patricia E. Lewis, D.D.S. - Contract Lessee  
Case No. 97-34-X  
✓Petition for Special Exception  
✓Description of Property  
✓Certificate of Posting  
✓Certificate of Publication  
✓Entry of Appearance of People's Counsel  
Zoning Advisory Committee Comments  
Petitioners' Exhibit: ✓ Plan to Accompany Petition for Special  
Exception  
Protestants' Exhibits: ✓ Petition with Forty-six Signatures  
✓ Neighborhood Map  
✓ 25 Photographs  
✓Four Photographs not Marked as Exhibits  
✓Deputy Zoning Commissioner's Order dated September 11, 1996 (Denied)  
✓Notice of Appeal received on October 10, 1996 from Francis X.  
Borgerding, Jr., Esquire on behalf of Patricia E. Lewis, Luis F. George  
and Mary H. Mitchell  
c: Francis X. Borgerding, Jr., Esquire, Mercantile Building, Suite  
600, 409 Washington Avenue, Towson, MD 21204  
Patricia E. Lewis, D.D.S., Mr. Luis F. George and Ms. Mary H.  
Mitchell, 9127 Winands Rd., Owings Mills, MD 21133  
Mr. J. Kevin Wight, Hicks Engineering Company, 200 E. Joppa Road,  
Suite 402, Towson, MD 21286  
Mr. Andrei Stewart, President, Sunset Ridge Community Association,  
Inc., 3681 Offutt Road, P.O. Box 118, Randallstown, MD 21133  
People's Counsel of Baltimore County, M.S. 2010  
Request Notification: Timothy Kotroco, Deputy Zoning Commissioner  
Arnold Jablon, Director of PDM  
J. CARROLL HOLZER ESQUIRE  
HOLZER AND LEE  
115 WASHINGTON AVENUE SUITE 602  
TOWSON MD 21204  
Entered appearance 10/24/96 on  
behalf of Andrei Stewart, Pres.  
Sunset Ridge Comm. Assn, both  
individually and on behalf of the  
community association.  
Dr. Paul Dubansky  
1 W. Pennsylvania Avenue  
Towson, MD 21204

APPEAL  
Petition for Special Exception  
S/S Winands Road, 270' E of the c/l of Offutt Road  
(9127 Winands Road)  
2nd Election District - 2nd Councilmanic District  
Luis F. George and Mary H. Mitchell - Legal Owners  
Patricia E. Lewis, D.D.S. - Contract Lessee  
Case No. 97-34-X  
Petition for Special Exception  
Description of Property  
Certificate of Posting  
Certificate of Publication  
Entry of Appearance of People's Counsel  
Zoning Advisory Committee Comments  
Petitioners' Exhibit: 1 - Plan to Accompany Petition for Special  
Exception  
Protestants' Exhibits: 1 - Petition with Forty-six Signatures  
2 - Neighborhood Map  
3 - 25 Photographs  
Four Photographs not Marked as Exhibits  
Deputy Zoning Commissioner's Order dated September 11, 1996 (Denied)  
Notice of Appeal received on October 10, 1996 from Francis X.  
Borgerding, Jr., Esquire on behalf of Patricia E. Lewis, Luis F. George  
and Mary H. Mitchell  
c: Francis X. Borgerding, Jr., Esquire, Mercantile Building, Suite  
600, 409 Washington Avenue, Towson, MD 21204  
Patricia E. Lewis, D.D.S., Mr. Luis F. George and Ms. Mary H.  
Mitchell, 9127 Winands Rd., Owings Mills, MD 21133  
Mr. J. Kevin Wight, Hicks Engineering Company, 200 E. Joppa Road,  
Suite 402, Towson, MD 21286  
Mr. Andrei Stewart, President, Sunset Ridge Community Association,  
Inc., 3681 Offutt Road, P.O. Box 118, Randallstown, MD 21133  
People's Counsel of Baltimore County, M.S. 2010  
Request Notification: Timothy Kotroco, Deputy Zoning Commissioner  
Arnold Jablon, Director of PDM

Case No. 97-34-X SE -To permit dental office within a residential  
dwelling.  
9/11/96 -Deputy Zoning Commissioner's Order in  
which Petition for Special Exception was DENIED.  
10/24/96 -Entry of Appearance filed by J. Carroll Holzer, Esquire, on behalf  
of Andrei Stewart, President, Sunset Ridge Community Association, both  
individually on behalf of Mr. Stewart and on behalf of the Sunset Ridge  
Comm. Assn.  
12/13/96 -Notice of Assignment for hearing scheduled for Thursday,  
March 13, 1997 at 10:00 a.m. sent to following:  
Counsel for Appellants /Petitioners: Francis X. Borgerding, Jr., Esq.  
Appellants /Petitioners: Patricia E. Lewis, D.D.S.  
Luis F. George and Mary H. Mitchell  
J. Kevin Wight /Hicks Engineering Co.  
Counsel for Protestants: J. Carroll Holzer, Esquire  
Protestants: Andrei Stewart, President  
Sunset Ridge Community Assn.  
Dr. Paul Dubansky  
People's Counsel for Baltimore County  
Pat Keller  
Lawrence E. Schmidt  
Arnold Jablon, Director /PDM  
Virginia W. Barnhart, Co Atty  
3/05/97 -Request for dismissal of appeal filed by F. Borgerding, Counsel for  
Appellants /Petitioners. Order of Dismissal to be issued by CBA.





County Board of Appeals of Baltimore County  
OLD COURTHOUSE, ROOM 49  
400 WASHINGTON AVENUE  
TOWSON, MARYLAND 21204  
(410) 887-3180

November 1, 1996

Dr. Paul Dubansky  
1 W. Pennsylvania Avenue  
Towson, MD 21204

RE: Case No. 97-34-X  
Luis F. George and Mary H. Mitchell  
/Legal Owners; Patricia E. Lewis, DDS  
/Contract Lessee -- Petitioners

Dear Dr. Dubansky:

In response to your telephone request, enclosed are copies of the following: (1) the Deputy Zoning Commissioner's Order of September 11, 1996 in which the subject Petition for Special Exception was denied; (2) the letter of appeal from Francis X. Borgerding, Jr., Esquire, filed on behalf of Petitioners; and (3) a letter of notification from Arnold Jablon, Director /PDM, advising that an appeal has been filed.

A hearing date has not yet been scheduled; however, that date should be some time early in 1997. I've noted the file with your name and address, and you will receive a copy of the Notice of Assignment when the hearing date has been set.

Should you have any further questions, please call me.

Very truly yours,

*Kathleen C. Bianco*  
Kathleen C. Bianco  
Legal Administrator

Enclosures

IN THE MATTER OF \* BEFORE THE  
Luis F. George and Mary H. Mitchell \* COUNTY BOARD OF APPEALS  
and Patricia E. Lewis, D.D.S. \* BALTIMORE COUNTY  
9127 Winands Road, Randallstown \* CASE NO. 97-34-X  
\* \* \* \* \*

SUBPOENA

Please issue a Subpoena to the following named witness to appear before the County Board of Appeals of Baltimore County at the hearing for the matter captioned above on Thursday, March 13, 1997 at 10:00a.m. at Room 49, located at the Old Courthouse, 400 Washington Avenue and continuing thereafter as necessary for such witness' testimony and as scheduled by the Board.

Witness: Jeff Long  
Address: Planning Office, County Courts Building, Towson

Name: I. Carroll Holzer  
Firm: Holzer and Lee  
Address: 305 Washington Avenue, Suite 502,  
Towson, Maryland 21204  
825-6961

The witness named above is hereby ordered to so appear before the County Board of Appeals. The Board requests the Sheriff to issue the summons set forth herein.

*Kathleen C. Bianco*  
County Board of Appeals of  
Baltimore County

Cost: \$ \_\_\_\_\_

Summoned: \_\_\_\_\_ 19 \_\_\_\_\_

Not Served: \_\_\_\_\_ 19 \_\_\_\_\_

Sheriff of Baltimore County

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: November 18, 1997  
Permits & Development Management  
FROM: Charlotte P. Radcliffe  
County Board of Appeals  
SUBJECT: Closed File: Case No. 97-34-X  
Luis F. GEORGE AND MARY H. MITCHELL, L.O.  
and PATRICIA E. LEWIS, DDS -C.L.  
2nd E; 2nd C

As no further appeals have been taken in the above captioned case, which was dismissed by Order dated March 12, 1997, we are hereby closing the file and returning same to you herewith.

Attachment (Case File No. 97-34-X)

FRANCIS X. BORGERDING, JR.  
Attorney at Law  
MERCANTILE BUILDING - SUITE 600  
409 WASHINGTON AVENUE  
TOWSON, MARYLAND 21204  
(410) 296-6820  
FAX (410) 296-6884

October 8, 1996

Arnold Jablon, Director  
Baltimore County Office of  
Permits & Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

RE: Case No.: 97-34-X  
Petition for Special Exception for  
Property known as 9127 Winands Road  
Randallstown, MD 21117  
Petitioners: Luis F. George and Mary H.  
Mitchell, Legal Owners and  
Patricia E. Lewis, D.D.S.,  
Contract Lessee

Dear Mr. Jablon:

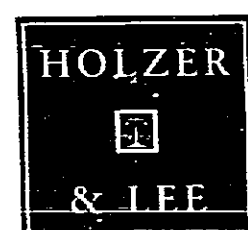
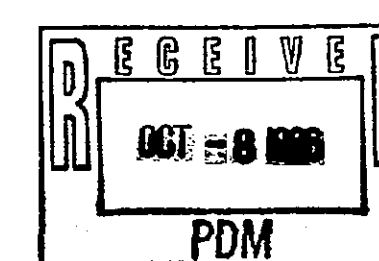
Enclosed please find a Notice of Appeal to be filed in the above-referenced case on behalf of my clients, Patricia E. Lewis, D.D.S., Contract Lessee, and Luis F. George and Mary H. Mitchell, legal owners, of the above-referenced property. Please also find a check in the amount of \$285.00 made payable to Baltimore County, Maryland, to cover the cost of the appeal.

If you have any questions in relation to the above, please feel free to contact me.

Very truly yours,

FRANCIS X. BORGERDING, JR.

FXBjr:bjk  
Enclosure  
cc: Patricia E. Lewis, D.D.S.  
Luis F. George and Mary H. Mitchell



LOW OFFICE  
1 COLUMBIA HEIGHTS, PA  
TOWSON, MD 21204  
(410) 252-6961  
FAX (410) 252-6962

THAN OFFICE  
125 WASHINGTON AVENUE  
SUITE 502  
TOWSON, MD 21204  
(410) 252-6961  
FAX (410) 252-6962

October 24, 1996  
#6978

Robert Schuetz, Chairman  
Baltimore County Board of Appeals  
Old Courts Building  
Towson, Maryland 21204

Re: Case No.: 97-34-X  
Petition for Special Exception  
for 9127 Winands Road

Dear Mr. Schuetz:

Please enter my appearance representing the Protestants in the above captioned matter and advise me of the hearing date when it is scheduled by the Board. Thank you for your cooperation.

Very truly yours,

I. Carroll Holzer

PROTESTANTS'  
EXHIBIT NO. 1

Sunset Ridge Community Association  
3681 Offutt Road P.O. Box 118  
Randallstown, MD 21133

August 30, 1996

Be it known that on this date, August 30, 1996, The Sunset Ridge Community Association is petitioning the Baltimore County Zoning Board to not grant approval for the opening of the Dental Office of Dr. Patricia Vanstony-Lewis which will be located at 9127 Winands Road Owings Mills, MD 21117.

| Name                 | Address                                      | Signature                   |
|----------------------|--|-----------------------------|
| ANDREI L. STEWART    | 9127 WINANDS ROAD, RANDALLSTOWN, MD 21133    | <i>Andrei L. Stewart</i>    |
| Vera Bethune-Stewart | 10 Sunset Ridge Rd, Randallstown, MD 21133   | <i>Vera Bethune-Stewart</i> |
| JEANNE ANGLINA       | 9127 SUNSET RIDGE RD, RANDALLSTOWN, MD 21133 | <i>Jeanne Anglina</i>       |
| VINCENT ANGLINA      | 9127 SUNSET RIDGE RD, RANDALLSTOWN, MD 21133 | <i>Vincent Anglina</i>      |
| ERIC MORGAN GREENE   | 105 Sunset Ridge Rd, Randallstown, MD 21133  | <i>Eric Morgan Greene</i>   |
| Paul A. Greene       | 105 Sunset Ridge Rd, Randallstown, MD 21133  | <i>Paul A. Greene</i>       |
| John J. Fitzsimmons  | 911 Sunset Ridge Rd, Randallstown, MD 21133  | <i>John J. Fitzsimmons</i>  |
| Barry B. Fitzsimmons | 911 Sunset Ridge Rd, Randallstown, MD 21133  | <i>Barry B. Fitzsimmons</i> |
| Eric Hawkins         | 105 Sunset Ridge Rd, Randallstown, MD 21133  | <i>Eric Hawkins</i>         |
| Michael Carr         | 9127 Sunset Ridge Rd, Randallstown, MD 21133 | <i>Michael Carr</i>         |
| KEDRA LATINORE       | 9127 Sunset Ridge Rd, Randallstown, MD 21133 | <i>Kedra Latinore</i>       |
| Michael Latimore     | 9127 Sunset Ridge Rd, Randallstown, MD 21133 | <i>Michael Latimore</i>     |
| William Dent         | 10 Sunrise Ct, Randallstown, MD 21133        | <i>William Dent</i>         |
| Laurance White       | 16 Sunrise Ct, Randallstown, MD 21133        | <i>Laurance White</i>       |
| Philip S. Sand       | 18 Sunrise Ct, Randallstown, MD 21133        | <i>Philip S. Sand</i>       |
| Dorothy Witherpoon   | 105 Sunset Ridge Rd, Randallstown, MD 21133  | <i>Dorothy Witherpoon</i>   |
| Janelle Witherpoon   | 105 Sunset Ridge Rd, Randallstown, MD 21133  | <i>Janelle Witherpoon</i>   |
| Gregory Davis        | 23 Sunrise Ct, Randallstown, MD 21133        | <i>Gregory Davis</i>        |
| Cheryl Szymanski     | 3 Sunrise Ct, Randallstown, MD 21133         | <i>Cheryl Szymanski</i>     |

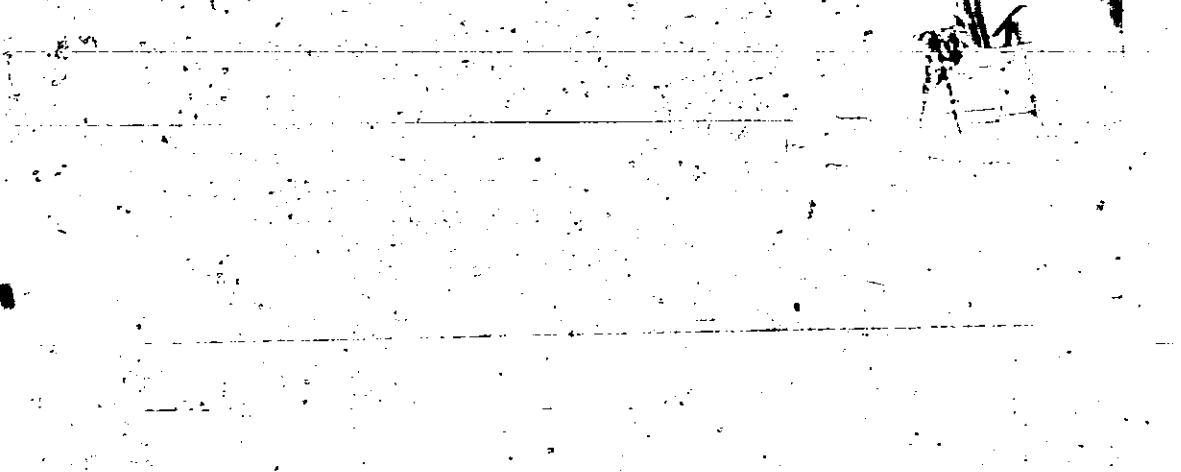
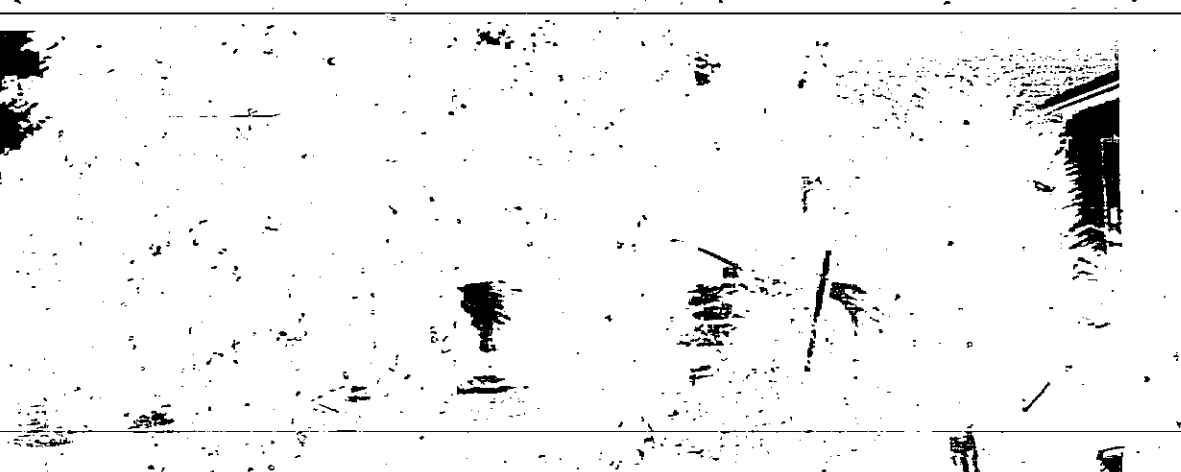
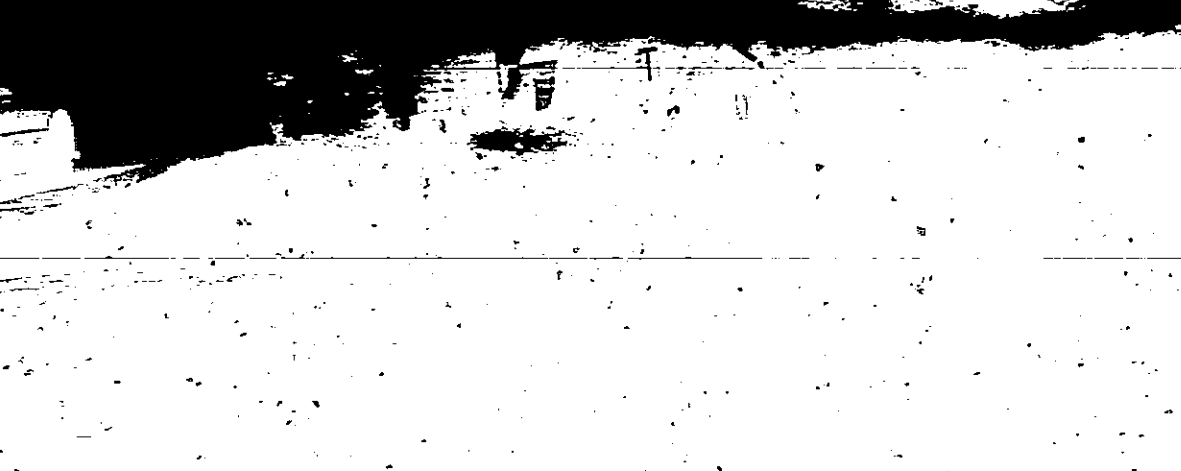
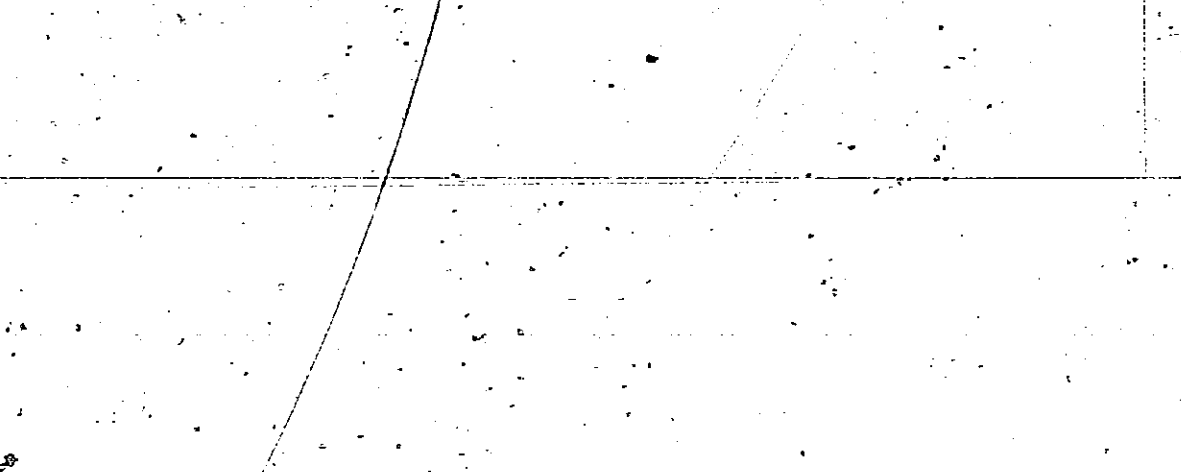
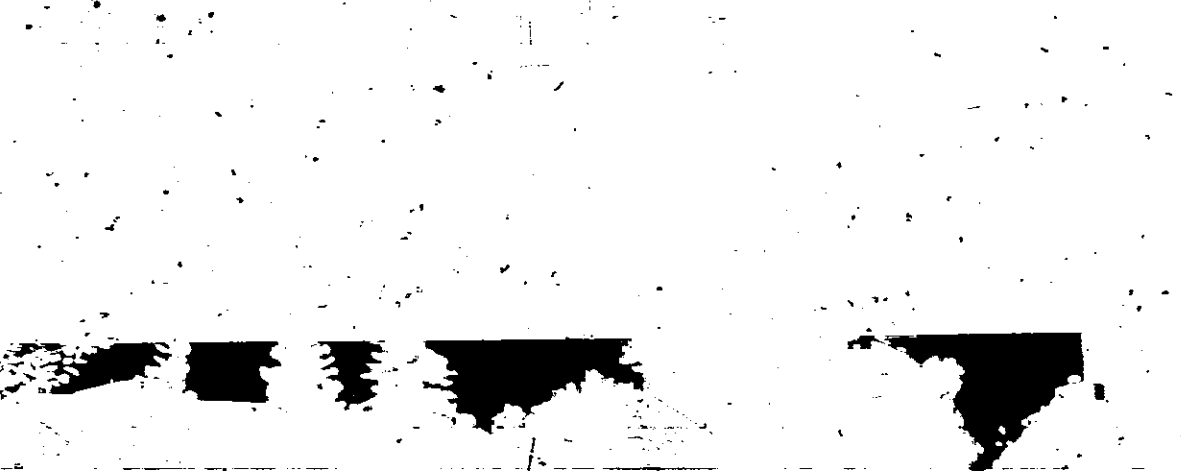
SUNSET RIDGE DEVELOPMENT

1

JCH:alt  
cc: Francis X. Borgerding, Jr.

© WOODCHURCH/STL





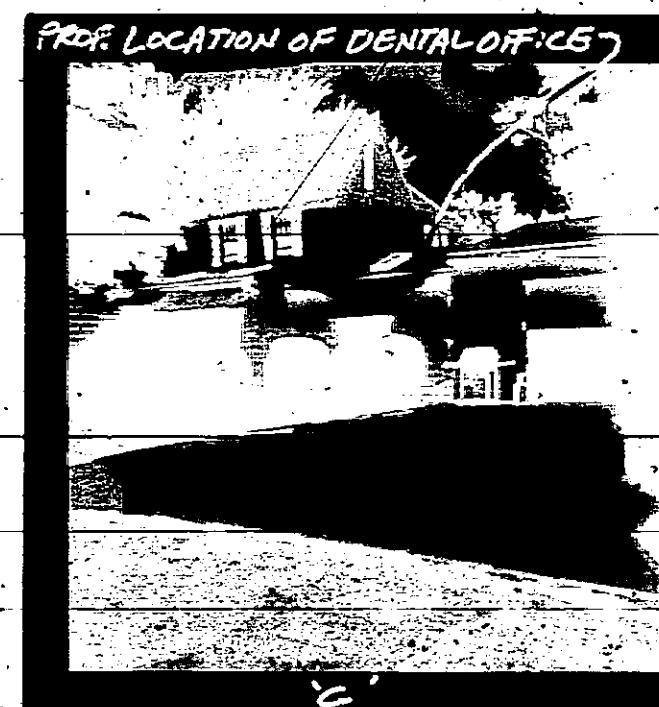
photograph  
Case 97-34-SPX  
A-D



9127 WINANDS ROAD  
C/13/16KX



9127 WINANDE ROAD  
6/13/96 KW



9127 WINANDS ROAD  
6/13/96 K.W.



9127 WINANDS ROAD  
6/18/96 KRW

